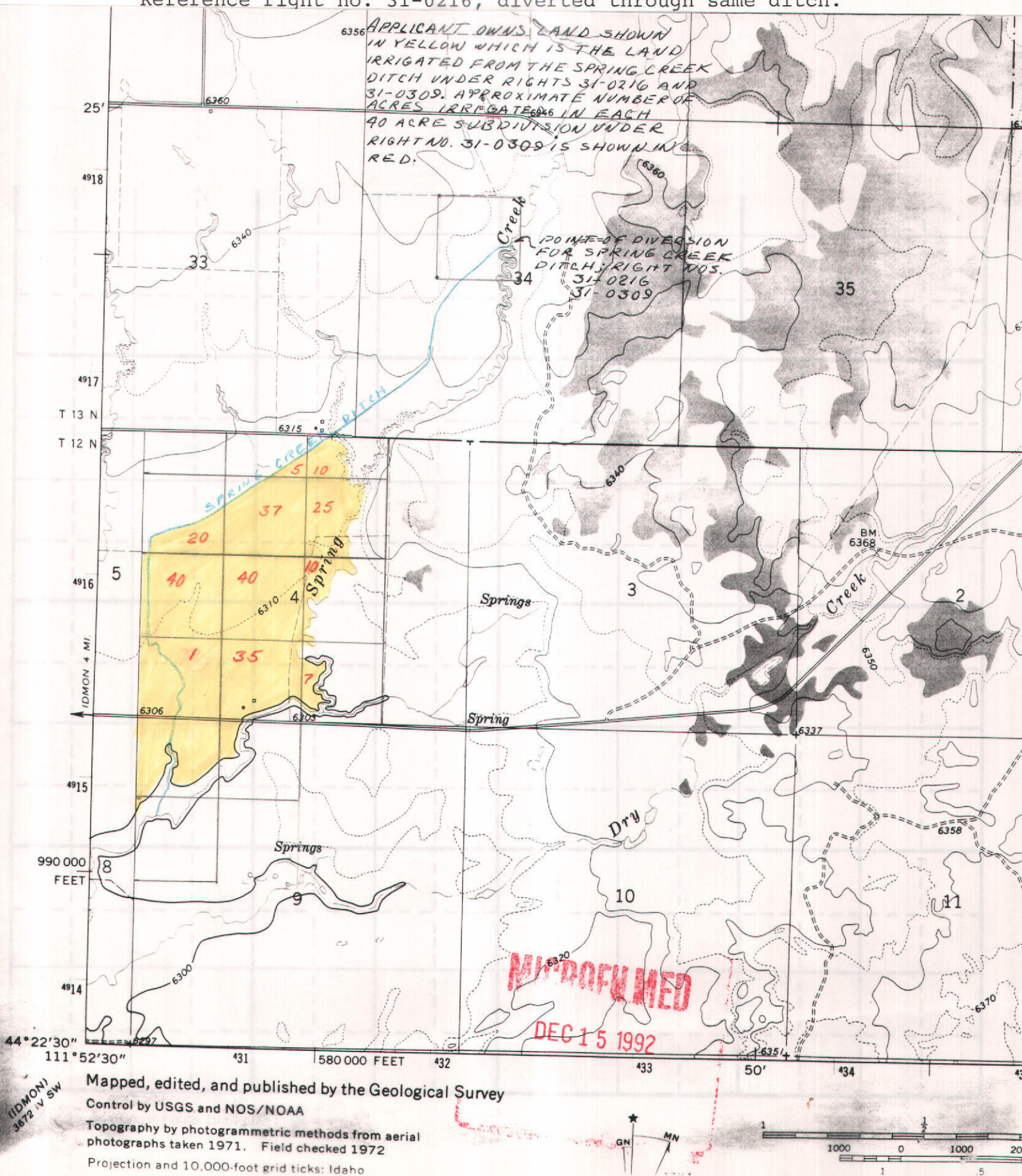


c. Describe the lands place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12N	39E	4		10	25		5		20	37	40	40	1	35		10	7		230

Total number of acres to be irrigated 230

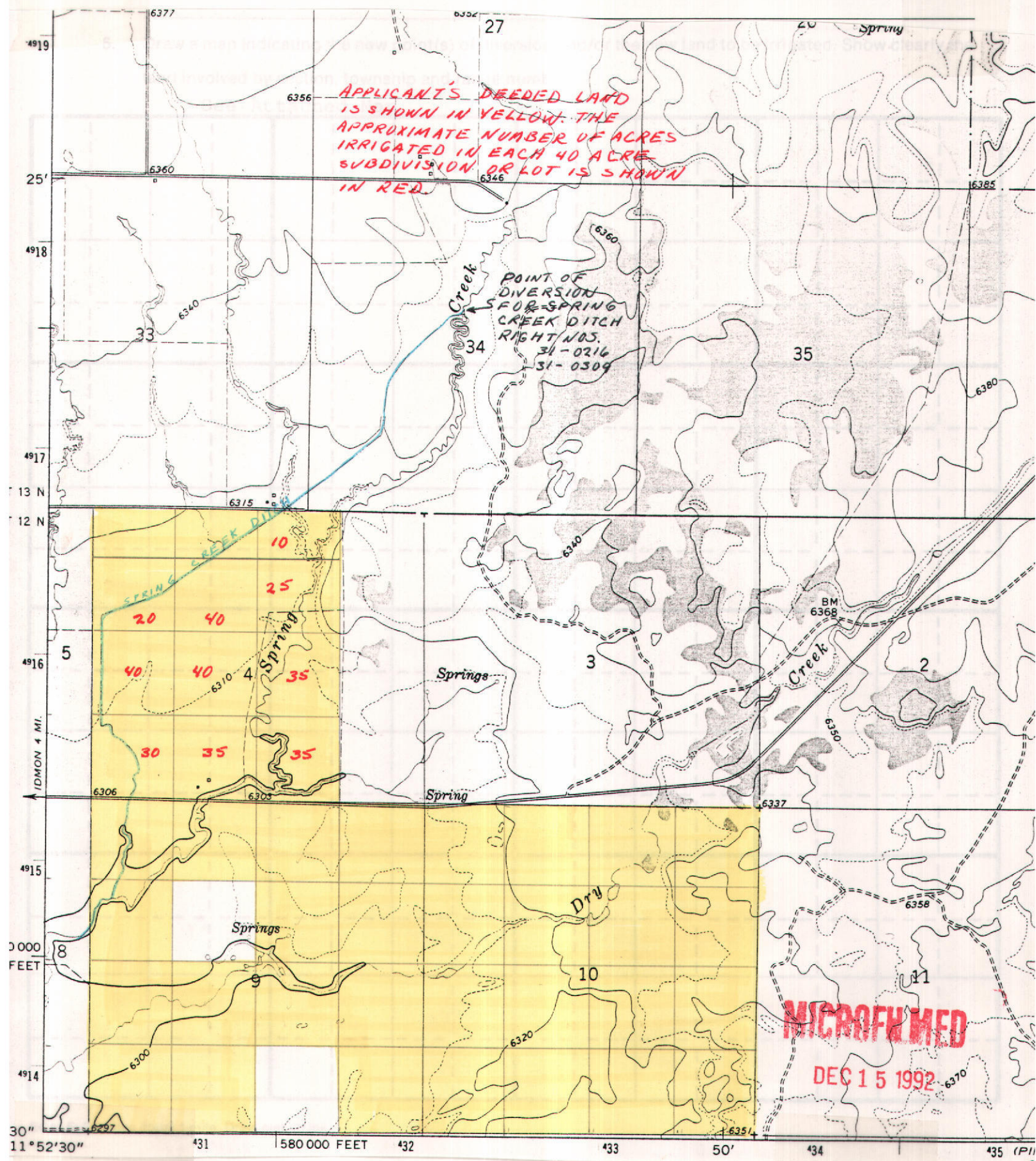
4. Describe any other water rights used for the same purpose as described above. _____
Reference right no. 31-0216, diverted through same ditch.



6

Only an undivided 230 acres of this ~~undivided acres to be irrigated~~
total of 310 will be irrigated with
this right.

~~31-0216~~



The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED
DEC 1 1983
Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Water Right Change
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on November 18, 1983
and the last publication having been made

on November 17, 1983.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Subscribed to and sworn to before me

this November 18, 1983

Jeri Garner
(SEAL) Notary Public.

My commission expires Life

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

Notice is hereby given that Half Circle
Cattle Co. Inc. c/o Holden, Kidwell, Hahn &
Crapo, Idaho Falls, Idaho, has applied to the
Dept. of Water Resource for a change in the
point of diversion and place of use of the
waters of Spring Creek tributary to East
Camas Creek. The right sought to be
changed is evidenced by Decree No. 31-
0309 to Wood Livestock Co. in case of
Sauve vs. Abbott dated in Nov. 1, 1930 in
District court of Idaho and is recorded as
follows:

AMOUNT: 1.6 cfs

PRIORITY: 10-01-1900

POINT OF DIVERSION: "On or near land to
be irrigated and hereafter described" T.
13N, R. 39E, B.M. Clark County.

The water is used to irrigate lands within
the E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, T. 13N, R. 39E,
S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9,
T. 12N, R. 39E, Sec. 9, T. 13N, R. 39E,
SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lots
3&4, Sec. 4, T. 12N, R. 39E, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 33, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, Lots
4&4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T. 13N, R. 39E,
B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the
SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, T. 13N, R. 39E, B.M.
Clark County and used to irrigate 310 acres
within Lot 2 NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 4, T. 12N,
R. 39E, B.M. Only an undivided 230 acres
of this total 310 will be irrigated with this
right.

Any protest against approval of the above
proposed change of water right must be filed
with the Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83401, on or before November 28, 1983.

A. KENNETH DUNN
Director

Publ. Nov. 10 and 17, 1983J

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The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

**Notice of Proposed Amending of
Transfer**

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on May 31, 1984
and the last publication having been made

on June 7, 1984

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Terry Weatherston

Subscribed to and sworn to before me
this 8 June 1984

Jeri Garner

(SEAL)

Notary Public.

My commission expires Life

RECEIVED

JUN 26 1984

Department of Water Resources
Eastern District Office

**NOTICE OF PROPOSED
AMENDING OF TRANSFER
NO. 31-0309**

Notice is hereby given that Transfer No.
31-0309 in the name of Half Circle Cattle
Company, Inc., Idaho Falls, Idaho was filed
for the diversion of 1.60 cfs of water from
Spring Creek tributary to East Camas Creek,
with the point of diversion within the
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 13N, R. 39E, B.M.,
Clark County; to be used from May 1 to Nov.
1 for the irrigation of 310 acres within the
W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
4, T. 12N, R. 39E, B.M. and stating that only
an undivided 230 acres of this total 310 will
be irrigated.

The right holder now proposes to amend
transfer No. 31-0309 changing the place of
use to 230 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
4, T. 12N, R. 39E, B.M.

Any protest to the proposed amending of
this transfer must be filed with the Idaho
Department of Water Resources, 150
Shoup, Suite 15, Idaho Falls, Idaho 83402,
on or before June 18, 1984.

A. KENNETH DUNN
Director

Publ. May 31 and June 7, 1984J

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DEC 15 1992

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF IDAHO, EASTERN DIVISION

ERNEST SAUVE,

Plaintiff,

No. 635. -- In Equity

- vs -

D E C R E E

To W. H. Abbott, Fay Abbott, Mary C. Adels, Allen Almonda, G. B. Allen, Allen & Harn, a co-partnership, consisting of G. B. Allen and H. R. Harn; Wm. A. Andrews, Joseph Andrasen, Anderson Bros. Bank, a corporation; Gerret Auldhouse (sometimes known as Gerret Oldhouse); Clausen Auldhouse (sometimes known as Clausen Oldhouse), William Axline, Ernest Bauerle, Edward C. Barnes, May L. Barnes, Lovisa Barney, Arthur J. Barber, Charles Bartlett, Ambrose J. Beckner, Laura E. Beckner, William Beck, David Bethune, Lloyd Bennett, Gus E. Brauer, Administrator of the Estate of Annie J. Bennett, deceased; A. W. Belnap, C. W. Belnap, The Bennett Investment Company, Limited, a corporation; Gussie Binnard, Burka Binnard, Horace L. Birch, Binnard Ranch Company, a corporation; B. Binnard, Sarah Binnard and E. F. Mobley, Trustees for Binnard Ranch Company, a defunct corporation; Charles O. Rickman, as Trustee in Bankruptcy of Binnard Ranch Company, a corporation; Oscar A. Johanneson, as Receiver of Binnard Ranch Company, a corporation; Heber J. Blackburn, W. B. Boucher, Ray Bohney, R. T. Boatman, Mary Nicholas Boyd, Frank Boe, Charles E. Brosic, E. L. Browning, Adna E. Bramwell, Afton Bradshaw, Theresa Brinkmann, Lottia Burcham, G. F. Burcham, Kath-

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DEC 07 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 2957 OF WATER RIGHT)
NO. 34-00309 IN THE NAME OF HALF)
CIRCLE CATTLE COMPANY, INC.)

ORDER

This matter having come before the Idaho Department of Water Resources (department) as a result of the review of pending applications for transfer and review of Snake River Adjudication claims filed in the Big Lost River Drainage, the department makes the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

1. On May 14, 1984, Half Circle Cattle Company, Inc. (applicant) filed Application for Transfer No. 2957 (application) with the department in connection with water right no. 31-00309.

2. A review of the Snake River Adjudication claim filed in connection with the above captioned water right shows that the proposed transfer does not agree with the later in time adjudication claim.

3. The adjudication claim has been filed pursuant to Section 42-1416A, Idaho Code, as if the change(s) proposed on the pending application can be approved and decreed without the necessity of filing for a change as provided in Sections 42-108 and 42-222, Idaho Code.

4. On October 11, 1990, the department corresponded with the applicant to determine continued interest of the applicant and requested appropriate information from the applicant to justify separate consideration of the application from the more recently filed Snake River Adjudication claim.

5. The applicant has not responded to the department and has not shown any reason why the application should be considered separately from the adjudication claim.

CONCLUSIONS OF LAW

1. Section 42-1416A, Idaho Code, provides in part that:

(1) If any person entitled to the use of water has made a change in point of diversion, place of use, period of use or nature of use of all or a part of the water, including a change as part of an exchange as defined in section 42-105, Idaho Code, prior to the entry of an order commencing a general adjudication pursuant to section 42-1408, Idaho Code, and the person entitled to the use of water has not complied with the requirements of section 42-1408, Idaho Code, then the department shall order the person to comply with the requirements of section 42-1408, Idaho Code, within a reasonable time.

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sections 42-108 and 42-222, Idaho Code, regarding such changes, the following shall apply:

(a) the water right may be claimed in the general adjudication as changed and an application for change of the water right is not required to be filed pursuant to section 42-222, Idaho Code, and

(b) the water right may be determined by the director in the director's report pursuant to section 42-1411, Idaho Code, and decreed by the district court pursuant to section 42-1412, Idaho Code, as changed, if the change meets the substantive criteria of section 42-222, Idaho Code, for approval of such changes, provided that the change may be approved subject to conditions necessary to satisfy the substantive criteria of section 42-222, Idaho Code, for approval of such changes.

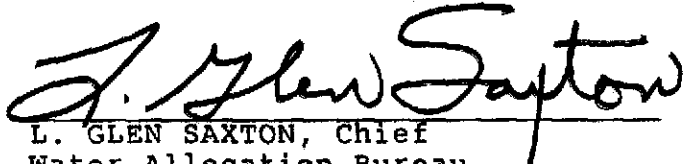
2. The department should set aside Application for Transfer No. 2957 and should consider the change(s) proposed in the application which have been claimed in the related adjudication claim(s) as being combined with and included in the review and recommendation of the adjudication claim in the Director's report as required by Section 42-1411, Idaho Code.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Application for Transfer No. 2957 in connection with water right no. 31-00309 is set aside and will not be separately considered by the department.

IT IS FURTHER, HEREBY ORDERED, that the change(s) proposed in the application for transfer which have been claimed on the related Snake River Adjudication claim(s) be included in and considered by the department in the Director's report required by Section 42-1411, Idaho Code.

Dated this 21st day of November, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED **APPLICATION FOR TRANSFER OF WATER RIGHT**

To Change the Point of Diversion and/or the Place of Use

Half Circle Cattle Company, Inc., 1945 Westwood Hill, Casper, WY 82601

Name of applicant c/o Holden, Kidwell, Hahn & Crapo Phone 523-0620

Post Office address P.O. Box 129, Idaho Falls, Idaho 83402

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 150 Decreed to Wood Livestock Company, a corporation
(Name)
in case of Sauve vs Abbott
dated in Nov. 1, 1930 in United States District county of District of Idaho
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is successor in interest to lands described in copy of deed attached to application dated 8-1-83.

3. Source of water Spring Creek tributary to East Camas Creek

4. Date of priority October 1, 1900

5. Water is used for the following purposes:

amount 1.6 cfs for Irrigation purposes from May 1 to Nov. 1
April 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.6 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is "On or near land to be irrigated and hereafter described"
1/4 of 1/4 of Section _____
Township 13N Range 39E., B.M., in Clark County
Additional points of diversion, if any _____

8. Lands irrigated or place of use: See attached copy of land list from page 93 of decree attached to application dated 8-1-83.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above All rights under decree nos. 150 and 151 were appurtenant to above land list.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 1.6 c.f.s. &/or _____ acre feet
- b. Description of diverting works treated lumber headgate on Spring Creek;
ditch to place of use.
- c. Describe the reasons for the proposed changes Applicant owns a portion of lands
described in "Land List No. 7" in decree to which decree makes some
9 rights appurtenant. For at least 50 years, Applicants land has
been irrigated with only 3 of said rights. The purpose of this
application is to make the record comply with the actual use of one
of those rights.
2. Change in point of diversion
- Point of diversion SE ¼ NW ¼, Section 34 Township 13N
Range 39 E, B.M., Clark County
Additional points _____
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
There will be no effect because if there ever was an actual transfer
it occurred many years ago and irrigation practices are intended to
continue as at present.

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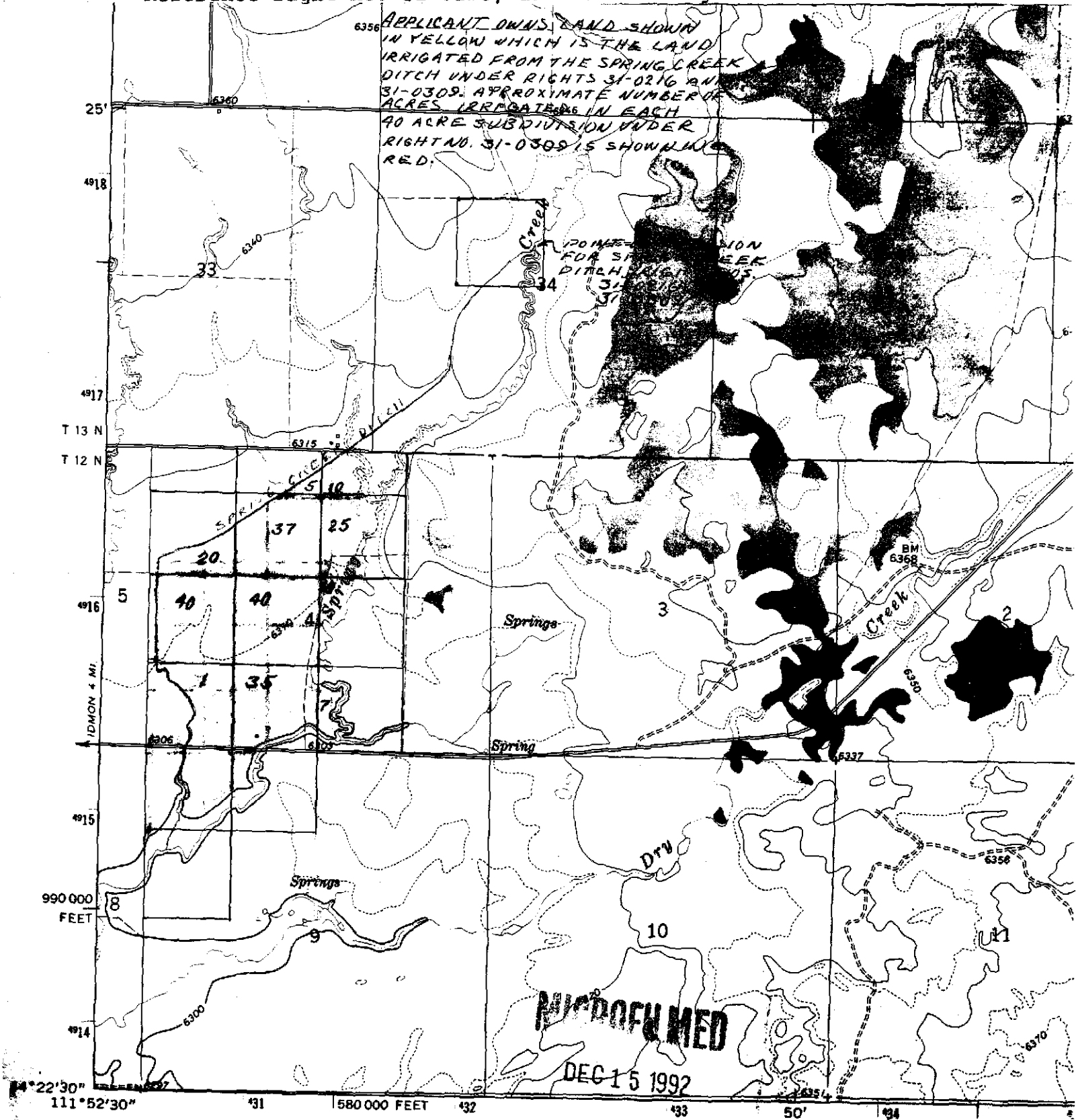
c. Describe the lands place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12N	39E	4		10	25		5		20	37	40	40	1	35		10	7		230

Total number of acres to be irrigated 230

4. Describe any other water rights used for the same purpose as described above.

Reference right no. 31-0216, diverted through same ditch.



Mapped, edited, and published by the Geological Survey
Control by USGS and NOS/NOAA
Topography by photogrammetric methods from aerial
photographs taken 1971. Field checked 1972
Projection and 10,000-foot grid ticks: Idaho

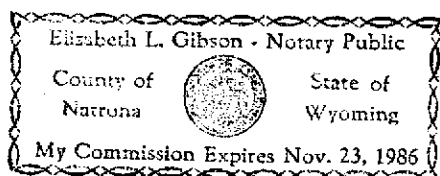
D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.
HALF CIRCLE CATTLE COMPANY, INC.

BY: M. J. [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 26th day of April, 19 84



[Signature]
(Notary Public)

My commission expires 11-23-86

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

FOR DEPARTMENT USE ONLY

Received by CW Date 5-14-84 Protest filed by _____
Prelim. check by HWS Fee 20.00
Receipted by CW Date 5-14-84 #33543
Published in Standard Journal Copies of protest forwarded by _____
Pub. dates 5/31 + 6/6/84 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
5-22-84 #31 rec'd. 6-14-84 by _____

RECORDED

DEC 15 1992

WARRANTY DEED

Recorded At
12 Day Feb. 19 75
10:00 Clock A M
J. L. CALONGE
County Recorder
J. E. B. Deputy
Recorded At Request Of
C. M. Land Title

THIS INDENTURE, made this 5th day of January, in the year of our Lord One Thousand Nine Hundred and Sixty-Seven, between JOHN STRINGER and ELIZABETH STRINGER, husband and wife, of Nyssa, County of Malheur, State of Oregon, the parties of the first part, and M. T. LAWRENCE, JR., of Phoenix, County of Maricopa, State of Arizona, the party of the second part;

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of Ten Dollars and other valuable consideration, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate situated in the State of Idaho, to-wit:

All of the real estate situate in the State of Idaho more particularly described on Exhibit A attached hereto and made a part hereof, and likewise signed by the parties of the first part.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including but not limited to, all water rights and rights to the use of water appurtenant to said described lands, and all wells, pumps and engines, together with all dams, ditches, canals, flumes, waterways, pipes, pipelines, reservoirs and all other means or methods for the diversion, impounding, distribution

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or use of any of the waters appurtenant to said real property or any part thereof; but, SUBJECT to all reservations in patents or deeds to said described lands or any part thereof from the United States of America or from the State of Idaho, and SUBJECT to all mineral reservations appearing in the record of title as of the date Seller acquired title to said described lands, or any part thereof, as appears in the Office of the County Recorder of the Counties of Clark and Fremont, Idaho, and SUBJECT to all rights of way and easements appearing of record as of January 5, 1967, granted to Idaho Power Company, Utah Power and Light Company, American Telephone & Telegraph Company, Clark County, Idaho and the State of Idaho, and Oregon Short Line Railroad, and all rights of way established by ^{prescriptive} ~~descriptive~~ uses.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

THIS CONVEYANCE is made subject to that certain mortgage from the parties of the first part to The Connecticut Mutual Life Insurance Company, dated December 17, 1962, and recorded in the office of the County Recorder of Clark County, Idaho on the 24th day of December 1962 in Book 8 of Mortgages at page 439, and subject to all taxes and assessments/levied ^{to be}

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DEC 15 1992

and assessed on said described premises in the year 1967 and the years subsequent thereto; and, subject to that certain oil and gas lease dated October 15, 1958 between the parties of the first part herein as Lessors and Richfield Oil Corporation as Lessees recorded in the office of the County Recorder in Clark County, Idaho on December 26, 1958 in Book 4 of Miscellaneous at page 364.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

John Stringer
John Stringer

Elizabeth Stringer
Elizabeth Stringer

STATE OF IDAHO,)
County of Ada,) ss.

On this 4th day of March, 1967, before me, the undersigned Notary Public, personally appeared JOHN STRINGER and ELIZABETH STRINGER, husband and wife, known to me to be the persons whose names are subscribed to the written 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.

[Signature]

Notary Public for the State of Idaho

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LANDS DESCRIBED AS FOLLOWS:

Clark County, Idaho

Township 12 North, Range 36 East, Boise Meridian,
Clark County, Idaho.

Section 2: $8\frac{1}{2}$ SE $\frac{1}{4}$

Section 11: NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 14: W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and that portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$
described as:

Beginning at a point which is 624 feet North and
2043.6 feet East from the Section corner common to
Sections 14, 15, 22, and 23, Township 12 North, Range
36 East, Boise Meridian, Clark County, Idaho; Said
point of beginning being the concrete right-of-way
marker for Highway No. 91. This point being the point
of beginning of a curve and designated as Station #1;
thence North 72°03' West for a distance of 450.4 feet
to Station #2; thence
North 17°57' East for a distance of 108 feet to Station
#3; thence
North 72°03' West for a distance of 120 feet to Station
#4; thence
North 17°57' East for a distance of 183 feet to Station
#5; thence
South 83°33' East 430 feet, more or less, to a point
which is 380 feet Northwesterly from the point of begin-
ning; thence
Southeasterly 380 feet, more or less to the point of be-
ginning.

Sections 14 & 23: All those portions of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 14 and of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23 included in
the following description:

Beginning at the Northwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 14; thence running
South 39.80 chains; thence
South 89°54' West 6.14 chains; thence
North 24° West 4.90 chains; thence
North 17°24' West 16.25 chains; thence
North 23°30' West 7.92 chains; thence
North 1°35' West 2.41 chains; thence
North 42°48' East 1.50 chains; thence
North 38°27' East .98 chains; thence
North 56°55' East 2.10 chains; thence
North 48°7' East 2.87 chains; thence
North 27°44' East 3.99 chains; thence
North 18°57' East 1.87 chains; thence
North 89°53' East 8.23 chains to the place of beginning.

Section 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$ and those portions of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and
NE $\frac{1}{4}$ SE $\frac{1}{4}$ North and East of the following described line:

Beginning at the Northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence
South 941 feet to the North side of the Highway; thence
South 75°44' East 370 feet; thence
South 35°03' East 670 feet; thence
South 41°52' East 335 feet; thence
South 52°38' East to the East line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of the
Section.

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DEC 15 1992

Section 24: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Township 12 North, Range 39 East, Boise Meridian,
Clark County, Idaho.

Section 1: Lots 1, 2, 3 and 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 2: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 3: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 4: Lots 2, 3 and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 9: NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10: Lots 1, 2, 3 and 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
Section 11: W $\frac{1}{2}$ NW $\frac{1}{4}$

Township 13 North, Range 40 East, Boise Meridian,
Clark County, Idaho.

Section 12: SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 13: N $\frac{1}{2}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 14: S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 24: E $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 25: N $\frac{1}{2}$ N $\frac{1}{2}$
Section 26: N $\frac{1}{2}$ NE $\frac{1}{4}$

Township 13 North, Range 41 East, Boise Meridian,
Clark County, Idaho.

Section 4: Lots 1, 2, 3 and 4, S $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$
Section 5: W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 7: Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 8: S $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 9: SW $\frac{1}{4}$
Section 16: All
Section 17: All
Section 18: All
Section 19: All
Section 20: All
Section 21: All
Section 30: Lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$

Fremont County, Idaho

The West Half of the West Half of Section 10, Township 13 North, Range 41 East, Boise Meridian, Fremont County, Idaho.

The East Half of the West Half of Section 10, Township 13 North, Range 41 East, Boise Meridian, Fremont County, Idaho. The West Half of Section 15, Township 13 North, Range 41 East, Boise Meridian, Fremont County, Idaho, less the following described tract: Beginning 1220 feet East of the Southwest corner of said Section 15, thence running East 1420 feet; thence North 5380 feet; thence West 100 feet; thence South 5280 feet; thence West 1320 feet; thence South 100 feet to the point of beginning.

30307

FILED FOR RECORD AT _____ MINUTES P.M.
O'CLOCK _____ M. THIS _____ DAY _____
AND RECORDED AS

MICROFILM NO. _____

RECORDS OF CLARK COUNTY, IDAHO

Recorder

Deputy

FEE FILED _____ MICROFILM _____ INDEX _____ PLAT _____

MICROFILMED

DEC 15 1992

John Stringer
John Stringer
Elizabeth Stringer
Elizabeth Stringer

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

To Change the Point of Diversion and/or the Place of Use

Half Circle Cattle Company, Inc.

Name of applicant c/o Holden, Kidwell, Hahn & Crapo Phone 523-0620Post Office address P. O. Box 129, Idaho Falls, Idaho 83402**A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by: 31-0309

a. Decree No. -150- Decreed to Wood Livestock Company, a corporation
(Name)
in case of Sauve vs Abbott
dated in Nov 1, 1930 in United States District county of District of Idaho
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is successor in interest to lands described in attached copy of deed.

3. Source of water Spring Creek tributary to East Camas Creek4. Date of priority October 1, 1900

5. Water is used for the following purposes:

amount 1.6 cfs for Irrigation purposes from May 1 Nov. 1
April 1 to Nov 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.6 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is "On or near land to be irrigated and hereafter described"
_____ 1/4 of _____ 1/4 of Section _____Township 13N Range 39 E., B.M., in Clark County

Additional points of diversion, if any _____

8. Lands irrigated or place of use: See attached copy of land list from page 93 of decree

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

* 31-0308, -0310, -0311, 0312, -0313, -0314, -0315, -0316

Total number of acres to be irrigated _____

* 9. Describe any other water rights used for the same purpose as described above All rights under decree nos. 150 and 151 were appurtenant to above land list.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 1.6 c.f.s. &/or _____ acre feet
- b. Description of diverting works treated lumber headgate on Spring Creek;
ditch to place of use.
- c. Describe the reasons for the proposed changes Applicant owns a portion of lands
described in "Land List No. 7" in decree to which decree makes some 9
rights appurtenant. For at least 50 years, Applicants land has been irrigated
with only 3 of said rights. The purpose of this application is to make the
record comply with the actual use of one of those rights.

2. Change in point of diversion

Point of diversion SE ¼ NW ¼, Section 34 Township 13N
Range 39 E., B.M., Clark County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer There will be no effect because if there ever was an actual transfer,
it occurred many years ago and irrigation practices are intended to
continue as at present.

RECORDED

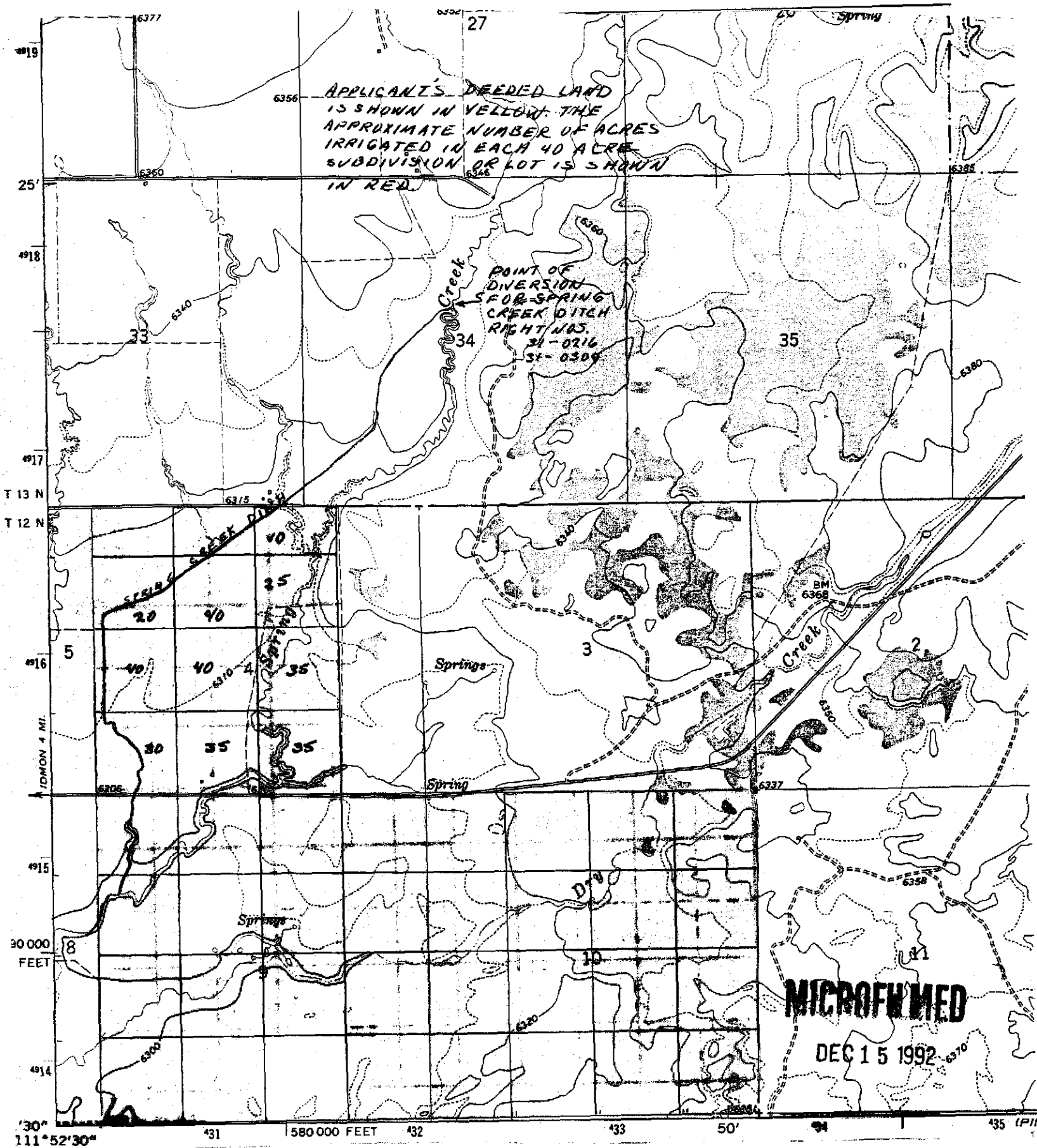
DEC 15 1992

c. Describe the lands [redacted] place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12N	39E	4		L-2 10	25				20	40	40	40	30	35		35	35		310

Only an undivided 230 acres of this ~~land under the proposed right~~ total of 310 will be irrigated with this right. 31-0216

4. Describe any other water rights used for the same purpose as described above.



D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

HALF CIRCLE CATTLE COMPANY, INC.

By: M. J. Lawrence & Sons
(Signature of Applicant)

Subscribed and sworn to before me this 27 day of JULY, 19 83

[Signature]
(Notary Public)

My commission expires LIFE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

FOR DEPARTMENT USE ONLY

Received by <u>Eme</u>	Date <u>7/29/83</u>	Protest filed by _____
Prelim. check by <u>HWS</u>	Fee <u>50.00</u>	_____
Received by <u>BP</u>	Date <u>8/1/83</u> # <u>29377</u>	_____
Published in <u>Standard Journal</u>	Copies of protest forwarded by _____	
Pub. dates <u>11/10 - 11/17/83</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for approval _____ denial _____	
_____ rec'd.		

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DEC 15 1992

LAND LIST NO. 7

Legal Subdivision	Section	Township North	Range E.B.M.
E $\frac{1}{2}$ SW $\frac{1}{4}$ ✓	34 ✓	13 ✓	39 ✓
E $\frac{1}{2}$ NW $\frac{1}{4}$ ✓	34 ✓	13 ✓	39 ✓
S $\frac{1}{2}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$ ✓	9 ✓	12 ✓	39 ✓
SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ ✓	4 ✓	12	39
S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; Lots 3 and 4 ✓	4	12	39
N $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{4}$ SW $\frac{1}{4}$ ✓	9 ✓	12 ✓	39 ✓
SE $\frac{1}{4}$ NE $\frac{1}{4}$ ✓	33 ✓	13	39
W $\frac{1}{2}$ NW $\frac{1}{4}$; Section 34; SW $\frac{1}{4}$ SW $\frac{1}{4}$ ✓	27 ✓	13	39
E $\frac{1}{2}$ SE $\frac{1}{4}$; Section 33; W $\frac{1}{2}$ SW $\frac{1}{4}$ ✓	34	13	39
Lots 4 and 4; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ✓	6 ✓	13 ✓	39 ✓
All of Section	9 ✓	13 ✓	39 ✓

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DEC 15 1992

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED
DEC 1 1983
Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Water Right Change...
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on November 16, 1983
and the last publication having been made

on November 17, 1983.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
ing a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Bruce Porter

ss

Subscribed to and sworn to before me

this November 18, 1983

Jeri Garner

(SEAL)

Notary Public.

My commission expires Life

MICROFILMED

DEC 15 1992

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

JUN 26 1984

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

**Notice of Proposed Amending of
Transfer**

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on May 31, 1984
and the last publication having been made

on June 7, 1984.

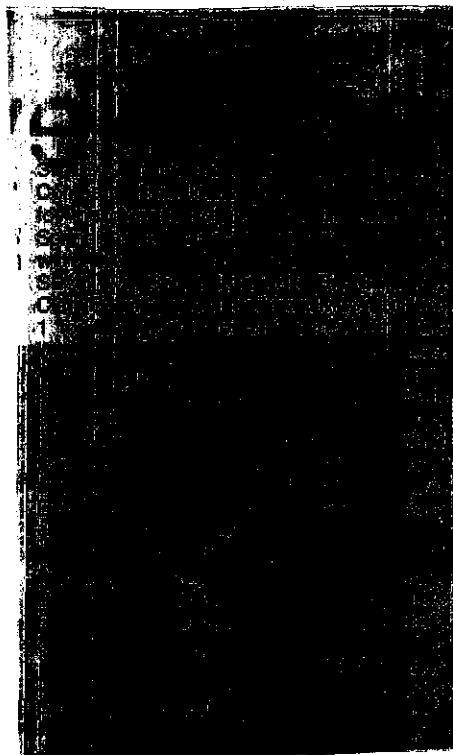
Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Terry Weatherston

Subscribed to and sworn to before me
this 8 June 1984

Jeri Garner
(SEAL) Notary Public.

My commission expires Life



MICROFILMED

DEC 15 1992

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF IDAHO, EASTERN DIVISION

ERNEST SAUVE,

Plaintiff,

No. 685. -- In Equity

- VS -

D E C R E E

To W. H. Abbott, Fay Abbott, Mary C. Adels, Allen Almonda, G. B. Allen, Allen & Harn, a co-partnership, consisting of G. B. Allen and H. R. Harn; Wm. A. Andrews, Joseph Andrasen, Anderson Bros. Bank, a corporation; Gerret Auldhouse (sometimes known as Gerret Oldhouse); Clausen Auldhouse (sometimes known as Clausen Oldhouse), William Axline, Ernest Bauerle, Edward C. Barnes, May L. Barnes, Lovisa Barney, Arthur J. Barber, Charles Bartlett, Ambrose J. Beckner, Laura E. Beckner, William Beck, David Bethune, Lloyd Bennett, Gus E. Brauer, Administrator of the Estate of Annie J. Bennett, deceased; A. W. Belnap, C. W. Belnap, The Bennett Investment Company, Limited, a corporation; Gussie Binnard, Burka Binnard, Horace L. Birch, Binnard Ranch Company, a corporation; B. Binnard, Sarah Binnard and E. F. Mobley, Trustees for Binnard Ranch Company, a defunct corporation; Charles C. Rickman, as Trustee in Bankruptcy of Binnard Ranch Company, a corporation; Oscar A. Johanneson, as Receiver of Binnard Ranch Company, a corporation; Heber J. Blackburn, W. B. Boucher, Ray Bohney, R. T. Boatman, Mary Nicholas Boyd, Frank Boe, Charles E. Brosic, E. L. Browning, Adna E. Bramwell, Afton Bradshaw, Theresa Brinkmann, Lott, Burcham, Kath-

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DEC 07 1990

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DEC 15 1992

Refilmed

Wood Livestock Company,
a corporation

1902 - June 21 3.2 c.f.s.

T.T. 2958

31 308

Source: Dry Creek, a tributary
of East Canas Creek.

Point of Diversion: Approximately
in the eastern border of Section
23, Township 13 North, Range 39
East, B.M.

1900 - October 1

31 309
1.6 c.f.s.

T. #2957

Source: Spring Creek, a tribu-
tary of East Canas Creek.

Point of Diversion: On or near
the land to be irrigated, and
hereinafter described.

The rights on this page for use
on Land List Number Seven, here-
inafter described.

1912 - October 12

No. 150

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DEC 17 1990

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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 26, 1990

RE: Transfer of Water Right No. 34-00309

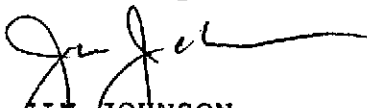
Half Circle Cattle Co., Inc.
550 N. Poplar, Suite 3
Casper, WY 82601

Gentlemen:

Enclosed is a copy of a State of Idaho Department of Water Resources ORDER in regard to the above referenced water right (Trans. No. 2957).

If you have any questions, please contact our office.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

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DEC 07 1990

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DEC 15 1992

Refiled

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
MARIE T. FEELEY
ROBERT M. FOLLETT

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

October 16, 1990

RECEIVED
OCT 18 1990

Department of Water Resources

L. Glen Saxton, Chief Water Allocation Bureau
IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Application for Transfer No. 2957 or
Right No. 31-0309

Dear Mr. Saxton:

Our office no longer represents or has any contact with
Half Circle Cattle Company, the applicant for transfer in the
above-entitled matter.

We have sent your letter of October 11, 1990, to the Half
Circle Cattle Company whose address is 550 North Poplar,
Suite 3, Casper, Wyoming 82601.

Yours very truly,



Kent W. Foster

#6900.00/srr

cc: Half Circle Cattle Co., Inc.

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DEC 15 1992

Refilmed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 11, 1990

Half Circle Cattle Co., Inc.
c/o Holden, Kidwell, Hahn & Crapo
P.O. Box 129
Idaho Falls, ID 83402

RE: APPLICATION FOR TRANSFER NO. 2957 OF RIGHT NO. 31-0309

Gentlemen:

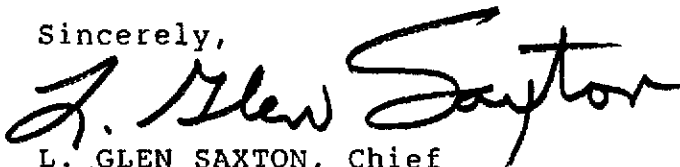
On May 14, 1984, you submitted to the department the above referenced application for transfer which is still pending in department files. Final action to either approve or deny the application has not occurred.

A review of department records shows that the Snake River Basin adjudication claim which was filed on this water right by Sheridan Golden Eagle of Hamer, Idaho claims the right differently than the original right and differently from the pending application for transfer.

Since the adjudication claim is likely the more current representation of the water right than the application for transfer, the department intends to void the application for transfer and allow the adjudication claim to be the document to represent the water right unless you provide justification within thirty (30) days to show why the application for transfer should be considered separately by the department.

Please feel free to contact the department if you have questions.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region - Water rights
- Adjudication
- Harold Jones

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DEC 07 1990

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DEC 15 1992

Refilmed

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A31-00309
Date Received: 6/15/1988
Receipt No: E000490
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHERIDAN GOLDEN EAGLE 208-662-5511
Address: P.O. BOX 247
HAMER, ID 83425

2. Date of Priority: OCT 01, 1900

3. Source: SPRING CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	39E	4	SE	NW			CLARK

5. Description of diverting works:
HEADGATE TO DITCH TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		
STOCKWATER	04/15	10/15	0.100		

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

8. Total consumptive use is 940.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER - 400 HEAD CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12N	39E	4	NW	NE	2	IRR	20.0
			SW	NE		IRR	40.0
			NE	NW	3	IRR	20.0

A31-00309

Page

1

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DEC 07 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	39E	4	NW	NW	4	IRR	20.0
			SW	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	36.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

Section Acres 376.0

Total Acres 376.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: DECREED

Case Number: 635

Court :

Decree date: 2/25/1931

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

A31-00309

Page 3

Date: 10/04/90

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DEC 07 1990

DEC 15 1992

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

Amended

INITIAL REVIEW BY: HWJ

1. Right number 31-0309 Applicant Half Circle Cattle Camp
2. Type of right: ☒ Decree ☐ License ☐ Claim
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. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments See attached memo

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

Right number(s) *31-0308 - 0310 - 0311 - 0312, -0313 - 0314 0315-0316
Do not specify distinct separate acreage; all are implied appurtenant to land listed

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

If yes, what district? WD #31

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 5-22-83 Received on 6-14-84
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____

4. By _____ Date _____

September 25, 1986

RE: Applications for Transfer of Water Rights 31-0309 & 31-0216,
Half Circle Cattle Company, Inc.

Golden Eagle Ranches
c/o Bill DuPree
Attorney at Law
220 South 2nd West
Rexburg, ID 83440

Dear Mr. DuPree:

Enclosed for your consideration is a copy of each application listed above, along with associated documents on file with the Department. It is my understanding a decision on whether or not to pursue the applications will be made after reviewing them with Mr. Ferguson and Mr. Lawrence. If there are questions concerning the applications, feel free to contact me.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

RECEIVED

DEC 15 1992

MEMO

TO: File

FROM: Ernest Carlsen *ENC*

RE: Applications for Transfer of Water Rights
Nos. 31-0309 and 31-0216

DATE: September 23, 1986

In April of 1985, Golden Eagle Ranches of Hamer, Idaho, purchased at a sheriff's sale all of the lands under the name of Half Circle Cattle Company in Clark and Fremont Counties. Golden Eagle Ranches is owned by Roger and Sibyl Ferguson, the founders of the Diet Center in Rexburg, Idaho. All correspondence on these applications should be sent to their attorney, Bill DuPree. His address is: 220 South 2nd West, Rexburg, ID, 83440. His phone number is: 356-9381.

During a telephone conversation with Mr. DuPree, I advised him both these applications were still pending before the Department of Water Resources. Mr. DuPree asked that we continue to hold the applications while he reviews them with his client and Mr. Taylor Lawrence, who was the president of Half Circle Cattle Company. When a decision is made the Department will be advised as to how to proceed with the applications.

If the Department has not received a response from Mr. DuPree by January 1, 1987, an inquiry should be sent to him asking for instructions on what administrative action the Department should take concerning the applications.

24-000000

DEC 15 1986

M E M O

TO: File Application for Transfer #31-0309

FROM: Ernie *eme*

DATE: July 5, 1984

When adjudicated, right #31-0309 was included with several other rights for Wood Livestock Co. with different priorities and sources, all decreed to a large tract of land. Each of these rights must have been used on specific lands since the topography and irrigation practices prevented distributaion over the entire tract. When all of the land was operated by Wood Livestock Co. it was not a problem. But, when Wood Livestock Co. went bankrupt and the land eventually purchased by numerous parties, then distribution of the rights became a real problem. Especially since little effort was directed at identifying the land each right was appurtenant too. The applicant has filed this application to change the Department's records so they show right #31-0309 to be appurtenant to land in Sec. 4, T. 12N, R. 39E.

Unfortunately, staff analysis of the application is hindered because of the manner in which the right was decreed. *The legal description for* ~~Because~~ the decreed place of use was so general it is impossible to determine the exact acreage under the right. The applicant, however, does own a portion of the decreed place of use, capable of being flood irrigated by the source. Watermaster records for W.D. #31 do list the applicant as the current holder of this right. The need for a prepermit field exam has been averted based on information presented at a Department conference conducted to hear the protest against transferring #31-0216 which has been used in combination with this right. An affirmative recommendation on this application will enhance the record for right #31-0309 by establishing a detailed description for the place of use.

MICROFILMED

DEC 15 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

June 18, 1984

RE: Application for Amended Transfer No. 31-0216 HALF CIRCLE CATTLE
No. 31-0309 "

Standard Journal
P.O. Box 10
Rexburg, ID 83440

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on May 31 and June 7, 1984.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED
DEC 15 1992

APPLICATION FOR TRANSFER OF
WATER RIGHT NO. 31-0309

RECEIVED

JUN 14 1984

Department of Water Resources
Eastern District Office

WATER DISTRICT 31

WATERMASTER Donald W. Shenton

DATE: June - 9, 1984

COMMENTS: I think this was pre-agreed
to at the Conference or hearing
of Half Circle Cattle Co. - vs - Tom
Adams - This Spring in Idaho
Falls

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

that all changes be controlled by
Regulating and measuring Devices

Donald W. Shenton
Watermaster

MICROFILMED

DEC 15 1992

May 22, 1984

RE: Amended Applications for Transfer No. 31-0309 & 31-0216
HALF CIRCLE CATTLE

Don Shenton, Watermaster
Water District No. 31
Box 33
Dubois, 83403

Dear Don:

Please find enclosed a copy of the above referenced application(s) and water recommendation form(s). Please review the application(s) and complete the form(s), returning it to this office on or before June 18, 1984.

Thank you for your cooperation in this matter.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:CW

Enclosure

RECEIVED

DEC 15 1992

NOTICE OF PROPOSED AMENDING OF TRANSFER

NO. 31-0309

Notice is hereby given that Transfer No. 31-0309 in the name of Half Circle Cattle Company, Inc., Idaho Falls, Idaho was filed for the diversion of 1.60 cfs of water from Spring Creek tributary to East Camas Creek, with the point of diversion within the $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 34, T. 13N, R. 39E, B.M., Clark County; to be used from May 1 to Nov. 1 for the irrigation of 310 acres within the $W\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, Sec. 4, T. 12N, R. 39E, B.M. and stating that only an undivided 230 acres of this total 310 will be irrigated.

The right holder now proposes to amend transfer No. 31-0309 changing the place of use to 230 acres within the $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, Sec. 4, T. 12N, R. 39E, B.M.

Any protest to the proposed amending of this transfer must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402, on or before June 18, 1984.

A. KENNETH DUNN

Director

Published in the Standard Journal, Rexburg, ID on 5/31 & 6/7/84.

RECEIVED
JUN 15 1984

MEMORANDUM

TO: 31-0309

DATE: 1/5/84

FROM: Ernest Carlsen

This application requests the transfer of 1.60 cfs onto 230 acres within a 310 acre area and could easily represent an acreage expansion from 80 acres.

Companion applications submitted at the same time to transfer 31-0308/31-0310 and 31-0216 were all prepared to reflect an application rate of 0.02 cfs/acre. Furthermore, some of the new place of use is located on the other side of Spring Creek and may not be irrigable from the designated point of diversion.

A field investigation should be conducted to confirm the lands actually irrigated. Information should also be obtained from Don Shenton concerning the number of acres originally covered by the right and whether his records reflect the use of this water by Half Circle Cattle Company. Documentation of the irrigated acreage should also be filed with application for transfer no. 31-0216 (Protested)

RECEIVED
DEC 15 1982

January 5, 1984

Holden, Kidwell, Hahn & Crapo
Attn: Kent Foster
P.O. Box 129
Idaho Falls, ID 83402

RE: Application for Transfer of rights 31-0309, 31-0216
HALF CIRCLE CATTLE CO.

Dear Kent:

A review of the above applications reveals the need for our Department to conduct a field investigation prior to further action on the application to transfer #31-0309. The investigation to be conducted next summer, will identify the actual lands irrigated and collect other available data related to the right.

Since protested application for transfer of right #31-0216 involves the same place of use and point of diversion, we propose to delay a hearing on this application until the above investigation has been conducted.

Please advise if you or your client wish to be present at the time of the investigation.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:bp

DEC 15 1982

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 31-0309**RECEIVED**

DEC 2 1983

RECOMMENDATION OF WATERMASTERDepartment of Water Resources
Eastern District Office

I, Donald W. Shenton, watermaster of 31-0309,
of Water District No. 31, County of Clark, State of Idaho,
whose address is Box 33 Dubois Idaho

have read the attached copy of the application for transfer of water right for _____

Half Circle Cattle Co. Inc., and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: None

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons:

Dated at Dubois Ida, Idaho, this 2 day of Dec 1983.

Donald W. Shenton
(signature)

RECORDED

DEC 15 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

November 29, 1983

RE: Application for Transfer No. 31-0216 HALF CIRCLE CATTLE CO.
31-0309 "
31-0308 "

Don Shenton, Watermaster
Water District No. 31
Box 33
Dubois, ID 83423

Dear Don:

Our files indicate we have not received your watermaster comments on the above captioned application for transfer, which was forwarded to you on November 4, 1983. Therefore, enclosed please find a copy of the application and another watermaster recommendation form.

Section 42-222 of the Idaho Code states that watermaster recommendations must be submitted to the Department before proceeding with final administrative action. Since advertising of the application is completed, I urge you to give this matter immediate attention.

Your cooperation is appreciated.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

RECEIVED

DEC 15 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

November 29, 1983

RE: Application for Transfer No. 31-0216 HALF CIRCLE CATTLE
31-0309 "
31-0308 "

Claim to a Water Right No. 22-4158 GROVER

Standard Journal
P.O. Box 10
Rexburg, ID 83440

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on November 10 and 17, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MAILED 11
DEC 15 1983

DEC 15 1983

November 4, 1983

RE: Application for Transfer No.'s 31-0216, 31-0308/0310,
31-0309-- HALF CIRCLE CATTLE CO.

Don Shenton, Watermaster
Water District No. 31
Box 33
Dubois, ID 83423

Dear Mr. Shenton:

Please find enclosed a copy of the above referenced applications and watermaster recommendation forms. Please review the applications and complete the forms, returning them to this office on or before November 28, 1983.

Thank you for your cooperation in this matter.

Very truly yours,

BARBARA L. POWERS
Secretary

Enclosures

MAILED

DEC 15 1983

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Half Circle Cattle Co. Inc. c/o Holden, Kidwell Hahn & Crapo, Idaho Falls, Idaho, has applied to the Dept. of Water Resources for a change in the point of diversion and place of use of the waters of Spring Creek tributary to East Camas Creek. The right sought to be changed is evidenced by Decree No. 31-0309 to Wood Livestock Co. in case of Sauve vs. Abbott dated in Nov. 1, 1930 in District Court of Idaho and is recorded as follows:

AMOUNT: 1.6 cfs

PRIORITY: 10-01-1900

POINT OF DIVERSION: "On or near land to be irrigated and hereafter described" T. 13N, R. 39E, B.M. Clark County.

The water is used to irrigate lands within the E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 34, T. 13N, R. 39E, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9, T. 12N, R. 39E, Sec. 9, T. 13N, R. 39E, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lots 3 & 4, Sec. 4, T. 12N, R. 39E, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 33, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, Lot 4 & 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T. 13N, R. 39E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, T. 13N, R. 39E, B.M. Clark County and used to irrigate 310 acres within Lot 2 NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 4, T. 12N, R. 39E, B.M. Only an undivided 230 acres of this total 310 will be irrigated with this right.

Any protest against approval of the above proposed change of water right must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before November 28, 1983.

A. KENNETH DUNN

Director

Published in the Standard Journal on 11/10 & 11/17/83/.

DEC 15 1982