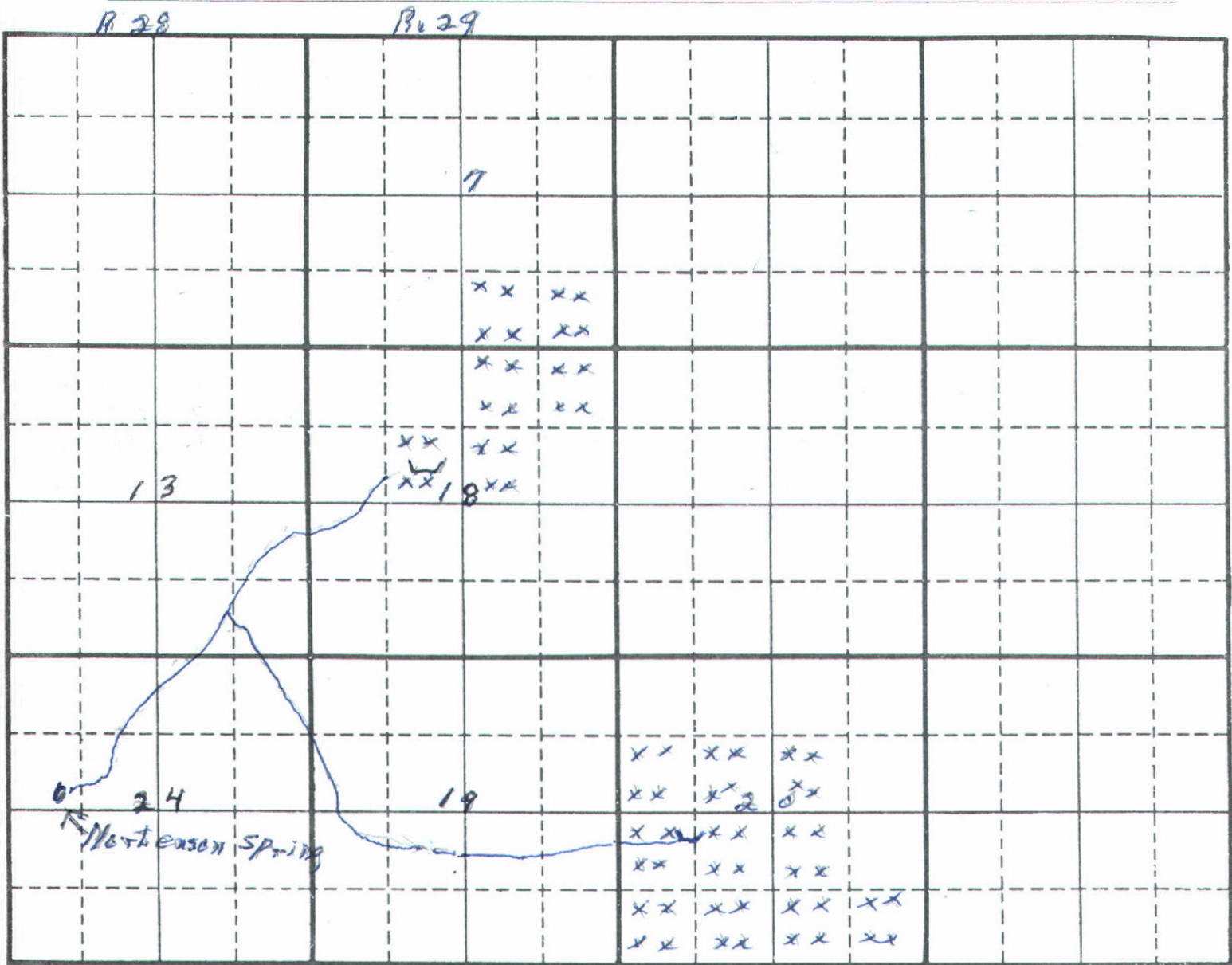


MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 1 day of July, 1985.
John A. Pierce
(Claimant)

Loren O. Halmer
Notary Public
Residing at Twin Falls

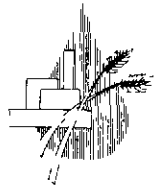
My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J. E. Stanton Date 7-1-85 Exception filed by: _____ Date _____
Prelim. check by TGB Date _____
~~\$200~~, \$30.00 fee received by JD Date 7-1-85 #36669
Published in Snake River Press
Dates 8/8 & 8/15/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that John A. Pierce (Name of Claimant)
Malta, Idaho (Mailing Address) 83342 (Zip Code) Telephone No 645 2580

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July 15, 1967
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.
- (2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)
Matheson Spring tributary to Sinks
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed

	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>approximately</u>	Use	<u>Livestock</u>	Period of Use From	<u>April 1</u> To <u>Dec 1</u>
Quantity	<u>or</u>	Use		Period of Use From	To
Quantity	<u>1/2 the flow</u>	Use		Period of Use From	To
Quantity	<u>the flow varies</u>	Use		Period of Use From	To
Quantity	<u>in the year & season</u>	Use		Period of Use From	To

- (4) TOTAL QUANTITY USED.
(cfs, af)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NW 1/4, Sec 24 Twp. 14S Rge 28E B.M., County of Cassia
Additional points of diversion

B) Describe means of diversion of water (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities, be as specific as possible. Describe any changes in the system and give the date of the change.
Diverted From Head box by pipe lines to two stock troughs

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
14S	29E	20									X	X							
14S	29E	18								X									

No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible

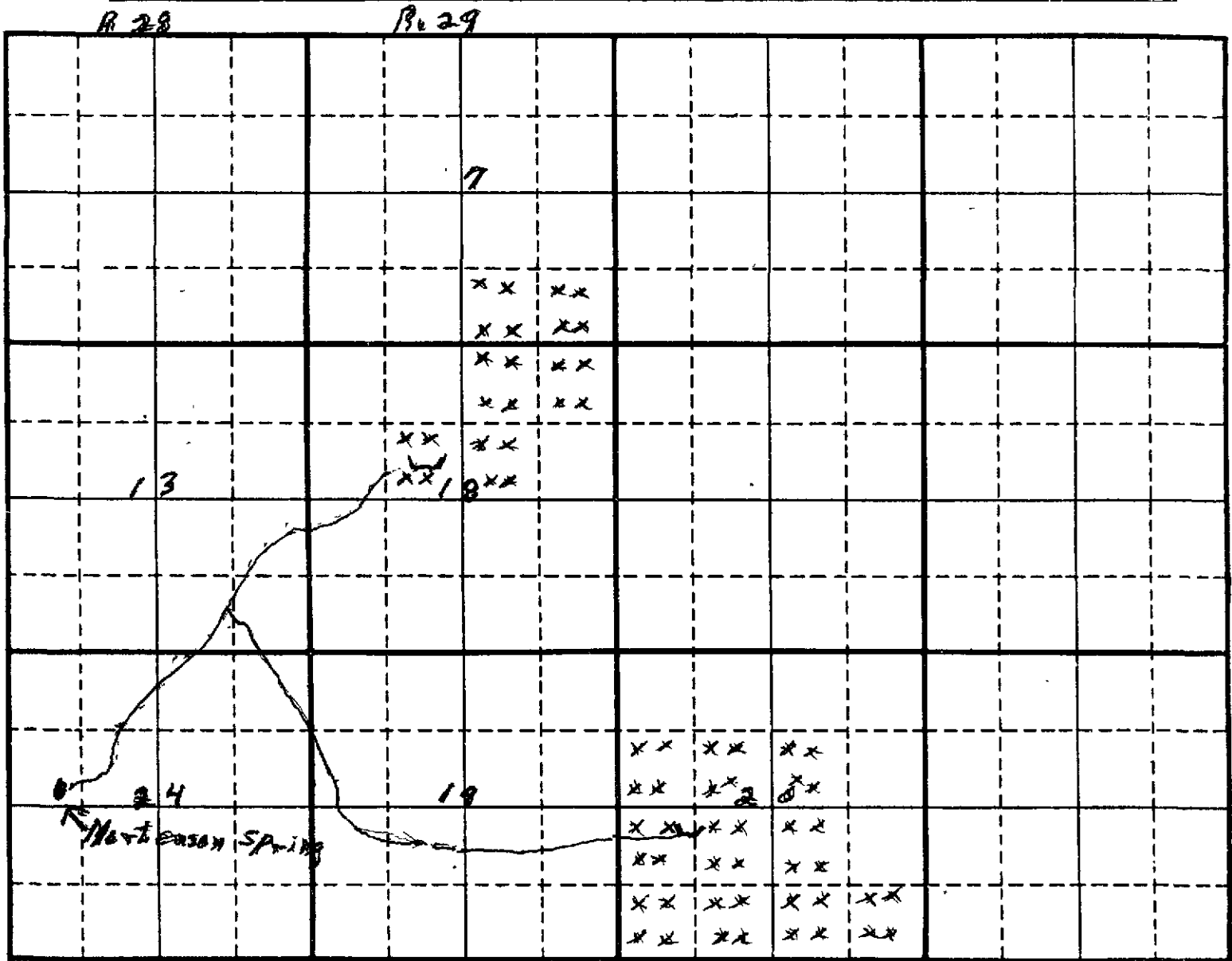
Distributed by pipe lines to Range livestock

NOTE Include here the type and number of stock watered 700 range cattle

- (7) If you are claiming water as a member of an organization, list name of organization

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 1 day of July, 1985.

John A. Pierce
(Claimant)
Loren O. Halmer
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J. E. Stanton Date 7-1-85 Exception filed by _____ Date _____
Prelim. check by TGB Date _____
Published in Success Date 7-1-85 # 96669
Dates 8/8 & 8/15/85



LAYNE & BOWLER PUMP COMPANY

200 N. PUENTE AVENUE, CITY OF INDUSTRY, CALIF. MAILING ADDRESS P O BOX 1300 LA PUENTE, CALIF 91747

SOLD TO . Raft River Grazing Assn.
c/o John A. Pierce
Malta, Idaho

SHIP TO .

18

TERMS: NET 30 DAYS

SALES ORDER NO.	CUSTOMER'S ORDER NO.	PUMP NO.	DATE	INVOICE NO.
	TF 3931		8/6/64	124480
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT	

Pump # 20825-C 8596

1	15 hp 220/440/ volt U.S. or G.E. 4 pole VHS Electric motor w/ Rodent Screens		325.00
1	15 hp 220 volt G.E. pumping plant panel w/ 3rd leg protection HOA end start		116.00
1	head shaft to fit above Conversion		18.00
	Labor to set motor		75.00
			534.00
	Trade in allowance on P.T. 10 belt assy.		-50.00
			484.00

Paid 11-14-64
Tgt

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COOPERATIVE AGREEMENT
(Act of June 30, 1914 (38 Stat. 409))

This agreement made and entered into this 16 day of February, 1967,
by and between John A. Pierce, herein referred to as the
Cooperator, and the Forest Supervisor of the Sawtooth National Forest, here-
inafter referred to as the Forest Service,
WITNESSETH:

WHEREAS the Cooperator is interested in developing Mortenson Spring and piping
the water down the canyon and east into Mill Fork and Mud Springs
on the Sawtooth National Forest and desires to contribute, under authority
of the Act of June 30, 1914 (38 Stat. 430; 16 U.S.C. 498) toward the cost
of such work:

NOW THEREFORE, the parties hereto agree that:

1. THE COOPERATOR WILL:

1. Install pipe line.

2. Construct road into Mortenson Spring from Butchey Canyon.

See reverse side

2. THE FOREST SERVICE WILL:

1. Provide the following pipe

8000 ft. 1 1/2" 80# plastic pipe
X 1500 ft. 1 1/2" 100# plastic pipe
3400 ft. 1 1/2" 160# PVC. See reverse side

3. This agreement is subject to the requirements of Executive Order
10925 of March 6, 1961 (26 F.R. 1977-9).

4. That this agreement is to extend from the date first shown above
until terminated by thirty days' written notice by either party to
the other.

5. Nothing herein contained shall be construed as binding the Secretary
of Agriculture to expend in any one fiscal year any sum in excess of
amounts available from appropriations made by Congress for that
fiscal year, or to involve the Government in any contract or other
obligation for the future payment of money in excess of any such
appropriation.

6. No Member of or Delegate to Congress or Resident Commissioner shall
be admitted to any share or part of this contract or to any benefit
that may arise therefrom unless it to be made with a corporation for
its general benefit.

7. No contribution to the cooperative fund herein provided for shall
entitle the Cooperator to any share or interest in the said improve-
ment other than the right to use the same under the regulations of
the Forest Service. All improvements shall be and remain the
property of the United States.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day
and year first hereinabove mentioned.

SAWTOOTH NATIONAL FOREST

By
Forest Supervisor

COOPERATOR: John A. Pierce

By
Title Permittee

The Cooperator Will furnish:

3. Provide four troughs and plumbing fittings.
4. See attached list showing contributed labor, equipment, and materials.
5. File for one-half the flow water from Mortenson Spring.
6. Perform ordinary maintenance on the pipeline.

Forest Service will:

2. Clean out Mortenson Spring to increase the flow of water.
3. Replace the headbox at Mortenson Spring.

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Mortenson Pipeline

Labor, equipment and materials contributed by Jack Pierce under
Coop Agreement.

Labor - Self

1 day w/S.C.S.	\$ 50.00
1 day w/F.S.	\$ 50.00
9½ days during construction	\$475.00
Sub-total	<u>\$575.00</u>

Labor other than self

3 man days moving pickups, locating flags, power saws, axes, etc.	\$ 54.00
4 man days laying P.V.C.	72.00
4 man days bedding P.V.C.	72.00
2 man days laying Poly.	36.00
1 man testing	18.00
4 man days setting troughs	72.00
Sub-total	<u>\$324.00</u>

Materials Used

1 Junction box - Sweetzer	7.96
1 Junction box - Mortenson	9.99
1 drain 1st Canyon S. Mortenson	2.34
2 stand pipe assembliss	19.96
2 tanks	100.00
Sub-total	<u>\$140.25</u>

Materials to be installed in 1967

2 stand pipe assembliss	\$ 19.96
2 tanks	134.00
2 man days	36.00
Sub-total	<u>\$189.96</u>

D-6 Cat

Road Construction

1 day Hutchey ridge to narrow part of Mortenson	\$120.00
2 days up Mortenson Canyon	240.00
Sub-total	<u>\$360.00</u>

Right-of-way clearing

1 day Mortenson Canyon to N. Fork Sweetzer	\$120.00
1 day N. Fork Sweetzer to Ridge S. of Mud Spr.	120.00
½ day ridge S. of Mud Spr. to end	60.00
Sub-total	<u>\$300.00</u>

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D-6 Cat

Opening trench

2 days

\$240.00

\$240.00

Sub-total

\$240.00

Laying Poly. Eth Pipe

1 day

Sub-total

\$120.00\$120.00Back filling P.V.C. road repair,
water checks, etc.

1 day

Sub-total

\$120.00\$120.00Piper Layer & ripper

2 days

Sub-total

\$ 50.00\$ 50.00Trencher

Trench 3440' @ 10¢

Sub-total

\$344.00\$344.00Trucks

2 days (\$25.00 up & back)

\$ 50.00

10 days(Scout \$20.00/day)

200.00

Sub-total

\$250.00

Grand Total

\$3013.21**MICROFILMED**

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)

STATE OF IDAHO) ss.

Sue Sebra being first

duly sworn, deposes and says that she is the

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 two consecutive weeks, commencing with the issue

dated 8/22/1985 and ending

with the issue dated 8/29/1985

Subscribed and sworn to before me

this 22nd day of August

1985

Betty Staker Notary Public

Cost of Publication 160.16

Notary Fee in

Total Cost 160.16

NOTICE OF CLAIMS TO WATER RIGHTS
Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use
43-4240
GARDNER, GOLDEN F.
H/C 72 BOX 2038, MALTA, ID 83342
Source CASSIA CREEK trib. to RAFT RIVER
Priority Date: 03/01/1949
Diversion Pt. SENW Sec 23 T 13S R 26E
Use: IRRIGATION (2.40 CFS)
In. NESE NWSE Sec 23 T 13S R 26E NWSW Sec 24 T 13S R 26E FOR 116 ACRES
43-4239

PIERCE, INC.
ALVIN NEDDO
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 09/27/1954
Diversion Pt. SENW Sec 26 T 13S R 28E
Use: STOCKWATER (0.51 CFS)
In. SWSW SWSE Sec 23 T 13S R 28E NENE SWNE Sec 26 T 13S R 28E NESW Sec 27 T 13S R 28E NWSW NWSE Sec 34 T 13S R 28E SENE NENW SESW SESE Sec 35 T 13S R 28E NESE NWSE Sec 28 T 13S R 28E NWSW Sec 36 T 13S R 28E NENE NWNE Sec 01 T 14S R 28E
43-4238

PIERCE, JOHN A
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 01/22/1960
Diversion Pt. SENW Sec 30 T 13S R 27E
Use: IRRIGATION (1.40 CFS)
STOCKWATER (0.33 CFS)
DOMESTIC (0.08 CFS)
In. SWNE SWNW SENW Sec 30 T 13S R 27E NWNE NENW Sec 30 T 13S R 27E SESW SESE Sec 19 T 13S R 27E FOR 80 ACRES
43-4237

PIERCE, JOHN A
MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 07/07/1950
Diversion Pt. SWSE Sec 30 T 13S R 27E
Use: IRRIGATION (2.00 CFS)
In. NESW NWSE SWSE Sec 30 T 13S R 27E FOR 120 ACRES
43-4236

PIERCE, JOHN A
MALTA, ID 83342
Source: MORTENSON SPRING trib. to SINKS
Priority Date: 07/15/1967
Diversion Pt. SWNW Sec 24 T 14S R 28E
Use: STOCKWATER (0.0155 CFS)
In. NESW NWSW Sec 20 T 14S R 29E SENW Sec 18 T 14S R 29E
43-4235

ADAMS, LYLE &/or BETTY
H/C 61 BOX 1116, MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 01/01/1905
Diversion Pt. SENE Sec 12 T 13S R 28E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.27 CFS)
DOMESTIC (0.04 CFS)
In. NESE Sec 12 T 13S R 28E SENE SESE Sec 12 T 13S R 28E FOR 1 ACRES
43-4234

HIGLEY, TED &/or BETTY ANN
P O BOX 57, MALTA, ID 83342
Source: COTTONWOOD CREEK trib. to RAFT RIVER
Priority Date: 04/27/1916
Diversion Pt. NWSE Sec 18 T 16S R 23E
Use: IRRIGATION (22.12 CFS)
In. SESE Sec 18 T 16S R 23E NENE SENE NESE Sec 19 T 16S R 23E NENE SWNE SENE NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 20 T 16S R 23E SWNW SENW SWSW SESW Sec 21 T 16S R 23E SWNE NWNW SENW NESW NWSE Sec 28 T 16S R 23E NENE NWNE Sec 29 T 16S R 23E FOR 1106 ACRES
43-4233

GARDNER, GOLDEN F.
H/C 72 BOX 2038, MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 04/01/1955
Diversion Pt. NENE Sec 26 T 13S R 26E
Use: IRRIGATION (2.00 CFS)
In. SWSW Sec 24 T 13S R 26E NWNW Sec 25 T 13S R 26E NENE Sec 26 T 13S R 26E FOR 88 ACRES
43-4232

GARDNER, GOLDEN F.
H/C 72 BOX 2038, MALTA, ID 83342
Source: CASSIA CREEK trib. to RAFT RIVER
Priority Date: 04/01/1931
Diversion Pt. SENW Sec 23 T 13S R 26E
Use: IRRIGATION (0.80 CFS)
In. NESW NWSE Sec 24 T 13S R 26E FOR 80 ACRES
43-4231

HALL, RODNEY
P O BOX 631, MALTA, ID 83342
Source: GROUNDWATER
Priority Date: 04/01/1953
Diversion Pt. NWSW Sec 20 T 13S R 27E NESE Sec 19 T 13S R 27E SESE SWNE Sec 18 T 13S R 27E
Use: IRRIGATION (0.68 CFS)
In. NENE Sec 18 T 13S R 27E FOR 34 ACRES

ALMO WATER CO
ALMO, ID 83312
Source: ALMO CREEK trib. to RAFT RIVER
Priority Date: 05/15/1918
Diversion Pt. NENE Sec 05 T 15S R 24E
Use: IRRIGATION (20.80 CFS)
In. SENE Sec 03 T 15S R 24E SENW NESE Sec 01 15S R 24E SENE NWNW SWNW Sec 10 T 15S R 24E NESE NWSE SWSE Sec 16 T 15S R 24E NV SWSE Sec 22 T 15S R 24E NENE NWNE SW NESW NWSW Sec 26 T 15S R 24E NENE SV NENW SWNW SENW NESW NWSW SWSW SE NWSE Sec 27 T 15S R 24E NWNW SWNW Sec 11S R 24E FOR 1120 ACRES
45-4256

STREETER, MICHAEL J
RT. 2 BOX 2434, BURLEY, ID 83318
Source: WILLOW CREEK trib. to SINKS
Priority Date: 03/17/1908
Diversion Pt. NESE Sec 26 T 12S R 23E NWI Sec 23 T 12S R 23E (REDIVERSION)
Use: IRRIGATION (0.13 CFS)
In. NENE Sec 22 T 12S R 23E FOR 6.25 ACRES
45-4255

CONRAD, JULIE
RT. 1, MURTAUGH, ID 83344
Source: MACKAY WASH trib. to SINKS
Priority Date: 04/29/1959
Diversion Pt. SESE SWSE Sec 16 T 13S R 23E
Use: IRRIGATION (1.90 CFS)
STOCKWATER (0.02 CFS)
In. NESE NWSE SWSE SESE Sec 16 T 13S R 23E FOR 160 ACRES
45-4254

WYATT, GRANT M
RT. 2 BOX 2174, BURLEY, ID 83318
Source: WASTE WATER trib. to SINKS
Priority Date: 06/01/1955
Diversion Pt. NWNE Sec 10 T 11S R 22E
Use: IRRIGATION (1.00 CFS)
In. NWNE SWNE Sec 10 T 11S R 22E FOR ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Bl. Lakes Blvd. North, Twin Falls, Idaho 83301
/s/ A. KENNETH DUNN, Director
Published in the South Idaho Press on August 8, 15, 1985.

43-4230
IDAHOME FARMS, INC
1925 OAKLEY AVE., BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 03/02/1950
Diversion Pt. SESW Sec 29 T 11S R 27E
SESE NESE NWSE SWSE SESE NENE NWNE SV. SENE Sec 32 T 11S R 27E
Use: IRRIGATION (4.00 CFS)
In. NENW NWNW SWNW SENW NESW NW SWSW SESW Sec 33 T 11S R 27E FOR 272 ACRES

43-4229
LUKE, C. GORDON
310 PALMER, ROAD, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 06/23/1955
Diversion Pt. NWNE SWNE Sec 22 T 11S R 26E
Use: IRRIGATION (1.60 CFS)

MICROFILMED

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 26, 1985

JOHN A. PIERCE
MALTA

ID 80342

RE. Claim No. 43-4236

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Allen D. Merritt

ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

43-4236-

PIERCE, JOHN A.

MALTA, ID 83342

Source, MORTENSON SPRING trib. to SINKS

Priority Date, 07/15/1967

Diversion Pt: SWNW Sec 24 T 14S R 28E

Use: STOCKWATER (0.0155 CFS)

In: NESH NWSN Sec 20 T 14S R 29E SENW Sec 18 T 14S R 29E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 8/8 & 8/15/85.

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ok
macy
8/13/85

43-4236

PIERCE, JOHN A
MALTA, ID 83342
Source, MORTENSON SPRING trib. to SINKS
Priority Date, 07/15/1967
Diversion Pt SWNW Sec 24 T 14S R 28E
Use STOCKWATER (0 0155 CFS)
In. NESW NWSW Sec 20 T 14S R 29E SENW Sec
18 T 14S R 29E

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S T R A E O F I D R H O

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578
JULY 31, 1985

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a sales proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated. Please send the affidavit of publication and publication billing to this office before AUGUST 26, 1985.

Yours truly,

Mary R. Newby
Secretary

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: T. G. Blau

Right Number 43-4236 Applicant PIERCE, John A.

NOTE: *IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.*

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By ADM Date 8/27/85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 8/29/85

RECEIVED
AUG 29 1985

Department of Water Resources

MICROFILMED