

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 47-13364
Date Received: 12/27/1988
Receipt No: S005127
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PATRICK J KUENY LIVING TRUST Phone: (208)731-1006
19896 HWY 30
BUHL ID USA 83316

2. Date of Priority: 03/15/1950

3. Source: UNNAMED STREAM Trib. to: MUD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	14E	27	SE SE SW	TWIN FALLS	

5. Description of diverting works:

CONCRETE DIVERSION TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.5	

7. Total Quantity Appropriated is:

0.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09S	14E	27	NW SW	IRRIGATION	3.8
			SE SW	IRRIGATION	2.3
			SW SW	IRRIGATION	19
Section Acres					25.1
Total Acres					25.1

COPY

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

SOURCE IS AKA WILSON CREEK

15. Basis of Claim: Beneficial Use

16. Signature(s)

For Organizations:

I do solemnly swear or affirm that I am TRUSTEE of
Title

Parrick J. Kuery Living Trust, that I have signed the foregoing
Organization

document in the space below as TRUSTEE of
Title

Parrick J. Kuery Living Trust and that the statements contained in the
Organization

foregoing document are true and correct.

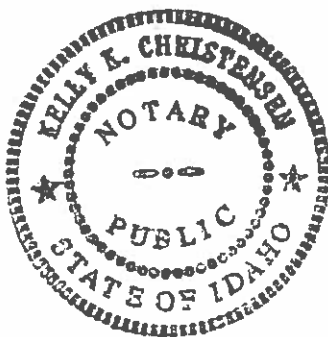
[Signature]
Signature of Authorized Agent

Trustee, Parrick J. Kuery Living Trust
Title and Organization

8/30/06
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day of Aug 2006



[Signature]
Notary Public

Residing at Twin Falls ID

My commission Expires 4-2-2010

COPY

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 47-13364
Date Received: 12/27/1988
Receipt No: S005127
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PATRICK J KUENY LIVIING TRUST Phone: (208)731-1006
19896 HWY 30
BUHL ID 83316

2. Date of Priority: 03/15/1950

3. Source: UNNAMED STREAM Trib. to: MUD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	14E	27	SE SE SW	TWIN FALLS	

5. Description of diverting works:

CONCRETE DIVERSION TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.4	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	14E	27	SE	SW	IRRIGATION	10
			SW	SW	IRRIGATION	10
					Section Acres	20
					Total Acres	20

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

SOURCE IS AKA WILSON CREEK

15. Basis of Claim: Beneficial Use

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
47-13364	-	___	47-2126	-	___
47-7592	-	___			___
47-4017	-	___			___
47-7138	-	___			___
47-7457	-	___			___

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Gary Van Winkle

4. New Owner/Claimant(s)

Patrick J. Rheny, Living Trust

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

19896 Hwy 30

City, State and ZIP Code

Buhl, Id 83316

New Telephone Number

(208) 731-1006

5. Date you acquired the property

May 1994

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

[Signature]

For Office Use Only			
Received by _____	Date _____	Fee _____	
Received by _____	Date _____	Receipt No. _____	
Processed by _____	AJ Date _____	WR _____	Date _____

35 (453m)

WARRANTY DEED

For Value Received VALLEY INVESTMENTS, the Grantor, grants, bargains, sells, and conveys to PATRICK J. KUENY LIVING TRUST, the Grantee, of 178 Aero Camino, Santa Barbara, California 93117, the premises described on EXHIBIT A.

TO HAVE AND TO HOLD the premises, with their appurtenances to the Grantee and its heirs and assigns forever. The Grantor covenants to and with the Grantee, that the Grantor is the owner in fee simple of the premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated May 25, 1994.

VALLEY INVESTMENTS

By: Leon E. Smith, Jr.
LEON E. SMITH, JR.

By: Paul M. Beeks
PAUL M. BEEKS

STATE OF IDAHO)
County of Twin Falls.)

On May 25, 1994, before me, a Notary Public in and for said State, personally appeared LEON E. SMITH, JR. and PAUL M. BEEKS, known or identified to me to be one the partners in the partnership of VALLEY INVESTMENTS and the partners who subscribed the partnership name to the within instrument and acknowledged to me that they executed it in the partnership name.

Marta L. LeMay
Notary Public for Idaho
Commission Expires 9-12-98

STATE OF IDAHO
NOTARY PUBLIC
Marta L. LeMay
Notary Public for Idaho
Commission Expires 9-12-98
Smith & Beeks
Attorneys at Law
210 Sixth Avenue East
Post Office Box 508
Twin Falls, Idaho 83303-0508

EXHIBIT "A"

Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 27: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPT from said S $\frac{1}{2}$ SW $\frac{1}{4}$ three tracts of land which are bounded and described as follows:

(1) **BEGINNING** at the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 27;
THENCE South 1159 feet;
THENCE West 225 feet;
THENCE North 730.5 feet, more or less, to a certain diagonal fence;
THENCE in a Northwest direction to a point 554 feet due West of the **PLACE OF BEGINNING**;
THENCE East 554 feet to the **PLACE OF BEGINNING**.

(2) **BEGINNING** at a point 225 feet West and 246 feet North of the quarter corner common to Sections 27 and 34, Township 9 South, Range 14 E., B.M.;
THENCE West across a coulee a distance of 265 feet to a point marked with a Rock and cross thereon;
THENCE North 20°30' West back across Coulee A for a distance of 194 feet to a stone marked with a cross;
THENCE North 60°30' West 280 feet to a stone marked with a cross;
THENCE North 42°25' West 185 feet along the Northwest rim of said coulee to stone marked with a cross;
THENCE North 24°35' West along said rim rock a distance of 743 feet to a point on the North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27;
THENCE East along North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, a distance of 679 feet to a point which is 554 feet West of the Northeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27;
THENCE South 39°00' East 530 feet to a point;
THENCE South 720 feet to the **POINT OF BEGINNING**.

(3) **COMMENCING** at the Southeast Section corner of Section 27, Township 9 South, Range 14 E., B.M., Twin Falls County, Idaho
THENCE North 89°49' West, 4354.46 feet along the South boundary of said Section 27;
THENCE North 00°29' West, 25.00 feet to the Northerly right of way line of U.S. Highway 30, said point being the **REAL POINT OF BEGINNING**;
From this **REAL POINT OF BEGINNING** continuing North 00°29' West 520.53 feet;
THENCE North 89°49' West, 173.59 feet;
THENCE South 00°29' East, 520.53 feet;
THENCE South 89°49' East, 173.59 feet to the **REAL POINT OF BEGINNING**.

ALL SUBJECT TO: Twin Falls County Highway Right of Way

TWIN FALLS COUNTY, IDAHO
TITLEFACT, Inc.

ISSUED MAY 27 A.M. 08

1994009614

RECORDS SECTION
TWIN FALLS COUNTY, IDAHO

FEE: 6.00 DEPUTY: CF

227



CERTIFICATE OF ASSUMED BUSINESS NAME

Pursuant to Section 53-504, Idaho Code, the undersigned
submits for filing a certificate of Assumed Business Name.

Please type or print legibly.

NOTE: See instructions on reverse before filing.

FILED EFFECTIVE

2004 SEP 22 AM 9:21
STATE OF IDAHO

1. The assumed business name which the undersigned use(s) in the transaction of business is:

VALLEY INVESTMENTS, a partnership

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name:

Name

Leon E. Smith

Paul M. Beeks

Complete Address

1381 GALENA DR, TWIN FALLS ID 83301

516 BUTTE DR, TWIN FALLS ID 83301

3. The general type of business transacted under the assumed business name is:

- | | |
|---|--|
| ☐ Retail Trade | ☐ Transportation and Public Utilities |
| ☐ Wholesale Trade | ☐ Construction |
| ☐ Services | ☐ Agriculture |
| ☐ Manufacturing | ☐ Mining |
| ☒ Finance, Insurance, and Real Estate | |

4. The name and address to which future correspondence should be addressed:

VALLEY INVESTMENTS

PO BOX 508

TWIN FALLS ID 83303-0508

Submit Certificate of
Assumed Business
Name and \$25.00 fee to:

Secretary of State
700 West Jefferson
Basement West
PO Box 83720
Boise ID 83720-0080
208 334-2301

5. Name and address for this acknowledgment copy is (if other than # 4 above):

Phone number (optional):

208 733-6684

Signature: _____

(signature required)

Printed Name: _____

Paul M. Beeks

Capacity/Title: _____

Partner

(see instruction # 8 on back of form)

Secretary of State use only

IDaho SECRETARY OF STATE
09/22/2004 05:00
CK: 2775 CT: 150010 BH: 767323
1 @ 25.00 = 25.00 ASSUM NAME # 2



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 30, 2006

PATRICK J KUENY LIVING TRUST
19896 HWY 30
BUHL ID 83316

Re: SRBA Claim #47-13364, #47-7592, #47-4017, #47-7138,
#47-7457, #47-2126

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn'.

Carrie Hahn
Office Specialist

Enc.

08/30/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: See cover letter

Water right number: 47-13364

PATRICK J KUENY LIVIING TRUST
19896 HWY 30
BUHL ID 83316
Telephone Number: (208)731-1006

RECEIVED
NOV 06 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

✓
I AGREE with this proposed recommendation: no changes need to be made.

DATE:

10/30/06

SIGNATURE:

Patrick J. Kueny

Please print your name:

Patrick J Kueny

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

08/30/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-13364

NAME AND ADDRESS: PATRICK J KUENY LIVING TRUST
19896 HWY 30
BUHL ID 83316

VERIFIED BY *KAC*

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

QUANTITY: 0.500 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 4.0 af for irrigation of the lands above.

PRIORITY DATE: 03/15/1950

POINT OF DIVERSION:

T09S R14E S27 SESESW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.500 CFS

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T09S R14E S27	NWSW	3.80	T09S R14E S27	SWSW	19.00
T09S R14E S27	SESW	2.30			

25.1 ACRES TOTAL

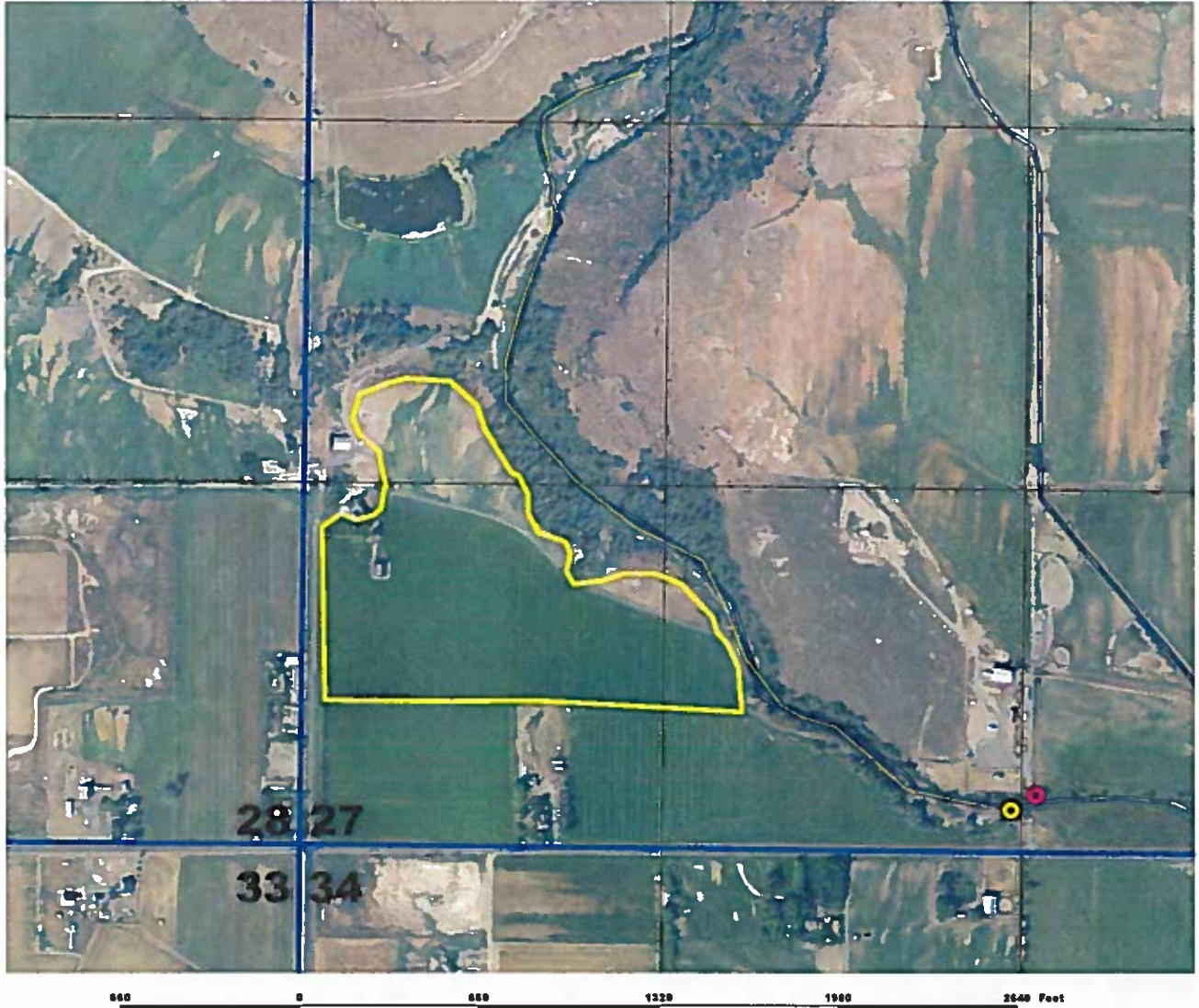
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

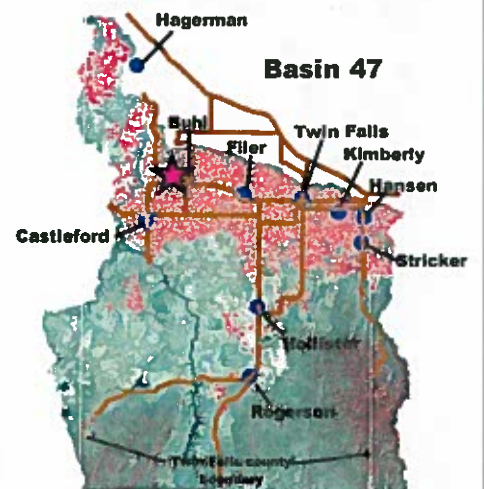
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Source is also known as WILSON CREEK

RECOMMENDED PLACE OF USE FOR 47-13364



PLACE OF USE
TWP 9S, RNG 14E, SEC 27
Data entry on August 30, 2006



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

TOWNSHIP LINES

SECTION LINES

QUARTER/QUARTER LINES



LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

File No.

47-07138-7457-7592-2126-13364-4017

Gary Van Winkle [OLD OWNER]
 Patrick Kueny [NEW OWNER]
 Hwy 30 19896 B
 Buhl,

7/10/06

I called Gary and he informed me that he sold these water rights to Patrick , so I then call Pat and made an apt. to go see him about these files , at first I gave him a change of ownership form with all file numbers and one of Kelly's cards and suggested he go in and discuss this change and some other problems he has with his water rights. Right 7592 he will go in and review this right with Kelly. Right 7138 , Pat said there are 2 POD and 7457 right is now being used in the new pond, the 2 ponds which 7457 was used are gone and on the pencil photo 47-7138 the 4 small ponds are gone . On the ponds I walked them using approx 3 feet per step. And while at the new pond Pat said he did not know the dept of the pond but looking at it I would guess 8 to 10 feet deep. On the photo 47-13364 Pat marked the CC lands , underground pipe and gated pipes the area [red] where the creek water is used , the brown area at north on this photo is June grass and he said it is being irrigated for pasture. Just west of POD # 1 are 2 small fish ponds as shown on photo. While reviewing file 4017 Pat thought this may be a duplicate right but would talk to Kelly about it when he goes into IDWR office to update all his files.

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
VanWinkle-Kueny	Pat 1	2434241	1267861	A0015562	1030331
" " "	" 2	2433665	1268347	None	332
" " "	" 3	2433729	1268530	"	333

Lee R. Peterson

Field Exam Data Entry Form

Claim(s): 47-2126, 13364 Irr Winkle

Probable change of ownership

Possible current owner
19896-B HWY 30
KUENY, PATRICK J LIVING TRUST
BUHL
ID
83316

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Priority Date Data

Evidence of priority is needed for 47-13364.

Point of Diversion and Source

GPS file name	Easting	Northing	Plate No.	Photo Id.
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The place of use for 47-2126 needs to be identified. The permitted and eventually licensed rate is 0.013 cfs. This rate does not appear large enough to accomplish any effective irrigation. Are canal shares being used on this ground? Possibly a beneficial use claim with a greater diversion rate would be appropriate. I need to discuss this with the claimant. I also need to discuss the pond that appears in the 2004 aerial photo and how it should be handled.

47-13364: Determine the actual irrigated place of use. If it exceeds the claimed 20 acres, then an amendment is necessary to recognize the acres. Based upon the 2004 aerial photo, the pond covered by license 47-7592 has been farmed over. Determine if the intent was to forfeit the fish right. I need to discuss this with the claimant.

Reviewer: _____

Date: _____



47- 13364

Pat H 1

331



47- 7138

Pat H 3

333

N ↑

70 ft d
p. 25

pasture
Turf
grass

Small
WW pond

pasture
Turf
grass

2004 aerial photo

47-13364

old
ditch
under
gr.
p. 1, 10x



Bb70_ne_1993_s.



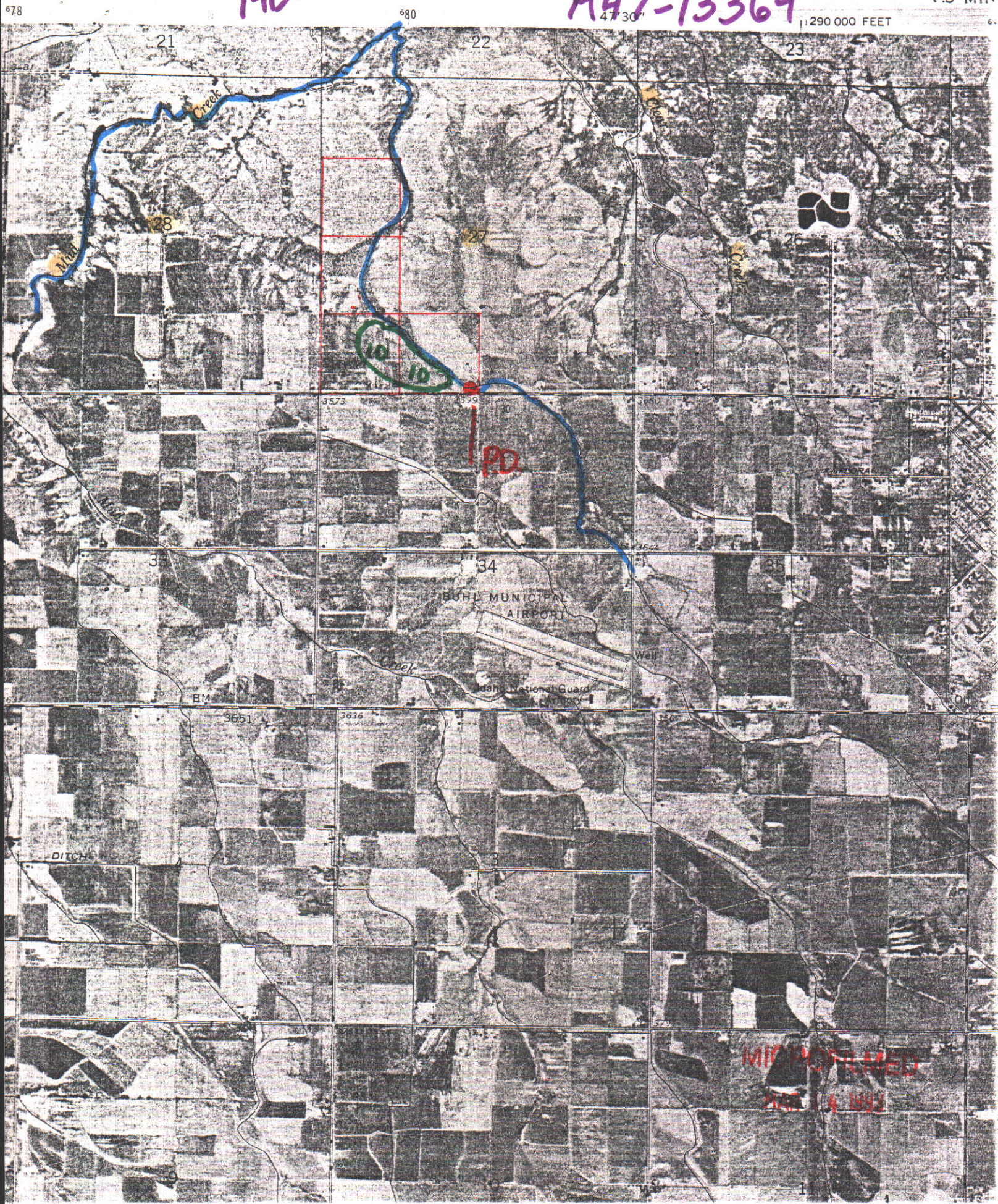
pasture
p. 1018 10x10m

Fish pond #1
85 ft x 100 ft

95.
14E.

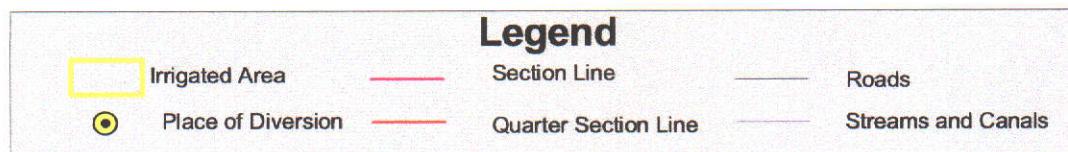
A47-13364

7.5 MIN



Water Right Claim Number 47-13364
Township , 9S14E

03/05/2001

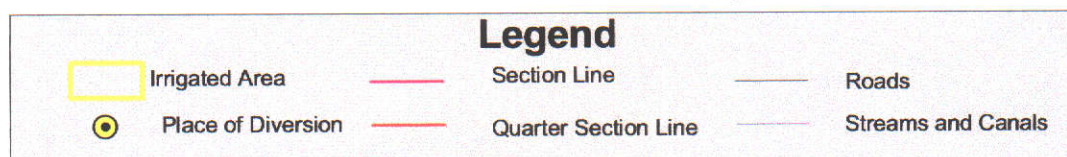
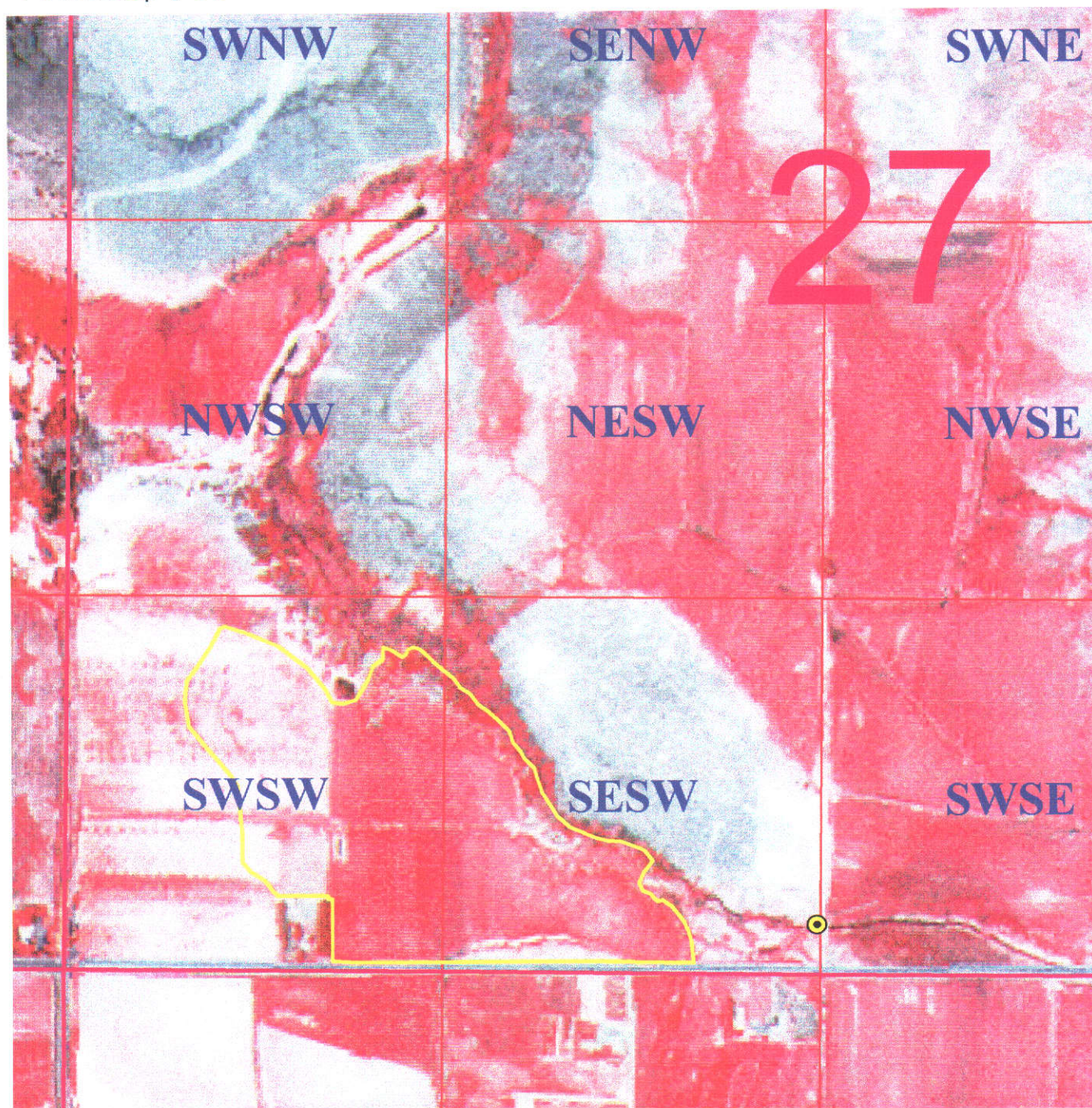


400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-13364
Township , 9S14E

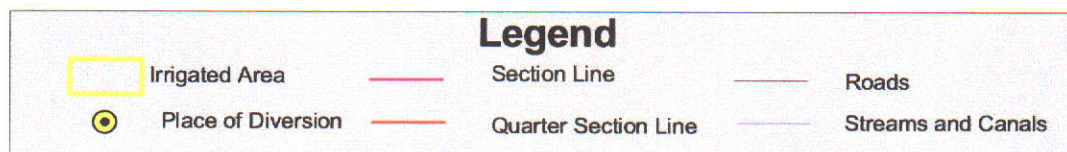
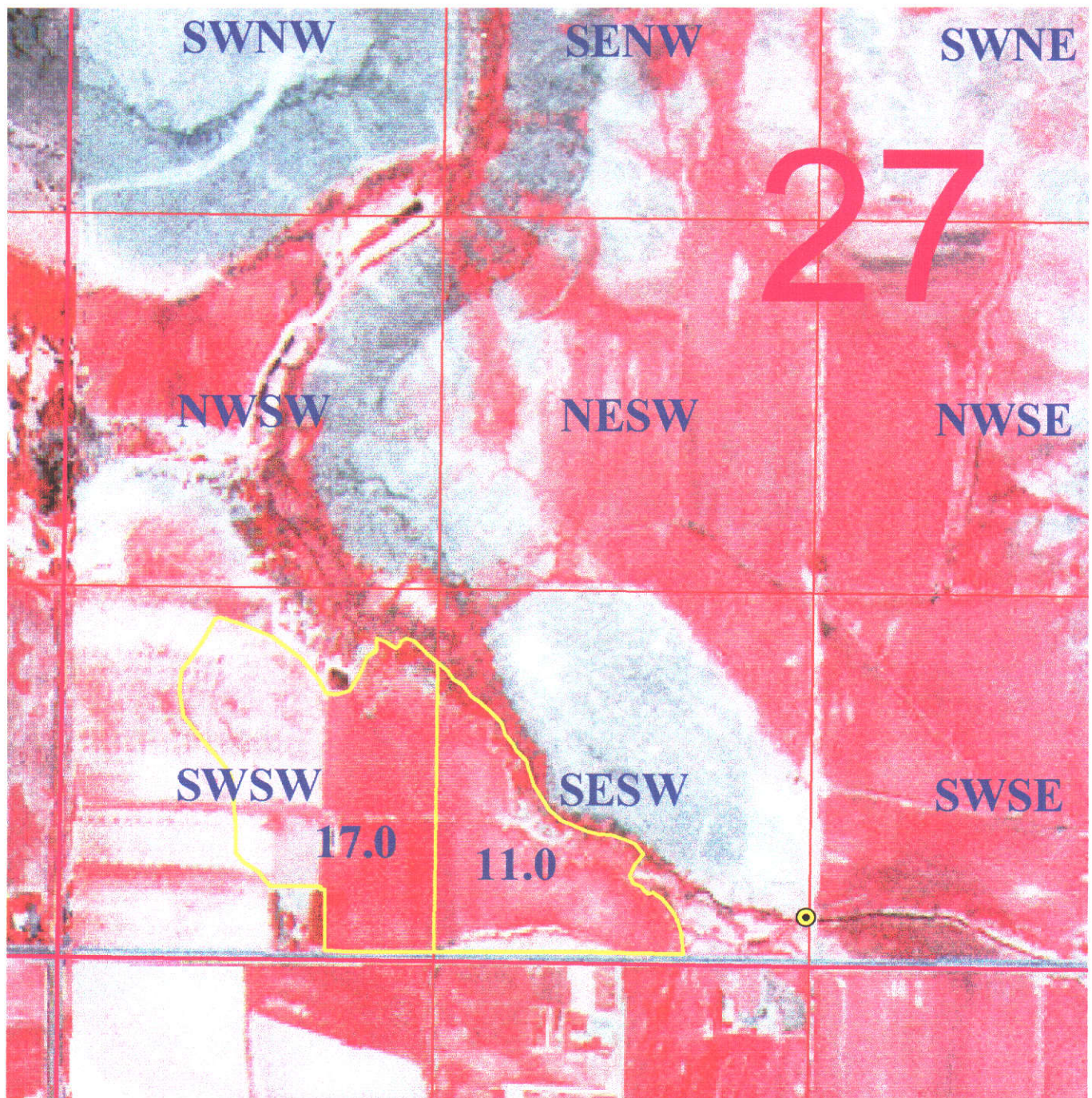
03/05/2001



 SPATIAL
DYNAMICS

Water Right Claim Number 47-13364
Township , 9S14E

03/05/2001



400 0 400 800 Feet



SPATIAL DYNAMICS

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: A47-13364
Date Received: 12/27/1988
Receipt No: S005127
Received By: SCC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GARY VAN WINKLE 208-543-6151
Address: P.O. BOX 663
BUHL, ID 83316

2. Date of Priority: MAR 15, 1950

3. Source: UNNAMED STREAM Trib. to: MUD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	14E	27	SE	SE	SW		TWIN FALLS

5. Description of diverting works:
CONCRETE DIVERSION TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	14E	27	SW	SW		IRR	10.0
			SE	SW		IRR	10.0

Section Acres 20.0

A47-13364

Page 1

Date: 01/03/89

MICROFILMED

MAR 14 1993

10. Place of Use: Continued

Total Acres 20.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
TFCC SHARES

14. Remarks:
SOURCE IS AKA WILSON CREEK

15. Basis of Claim: BENEFICIAL USE

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): [Signature] Date: 1/3/89
Date: _____

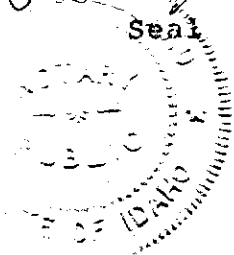
State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3RD day

of January 19 89

[Signature]
Notary Public



Residing at Twin Falls

My Commission Expires Dec 7, 1994

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: A47-13364
Date Received: 12/27/1988
Receipt No: S005127
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY VAN WINKLE 208-543-6151
Address: P.O. BOX 663
BUHL, ID 83316

2. Date of Priority: MAR 15, 1960

3. Source: UNNAMED STREAM Trib. to: MUD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	27	SE	SE	SW		TWIN FALLS

5. Description of diverting works:
CONCRETE DIVERSION TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	27	SW	SW		IRR	10.0
			SE	SW		IRR	10.0
Section Acres							20.0

10. Place of Use: Continued

Total Acres 20.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
TFCC SHARES

14. Remarks:
SOURCE IS AKA WILSON CREEK

15. Basis of Claim: BENEFICIAL USE

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: 1

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): [Signature] Date: 12/27/88
Date: _____

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27th day

of December 19 88

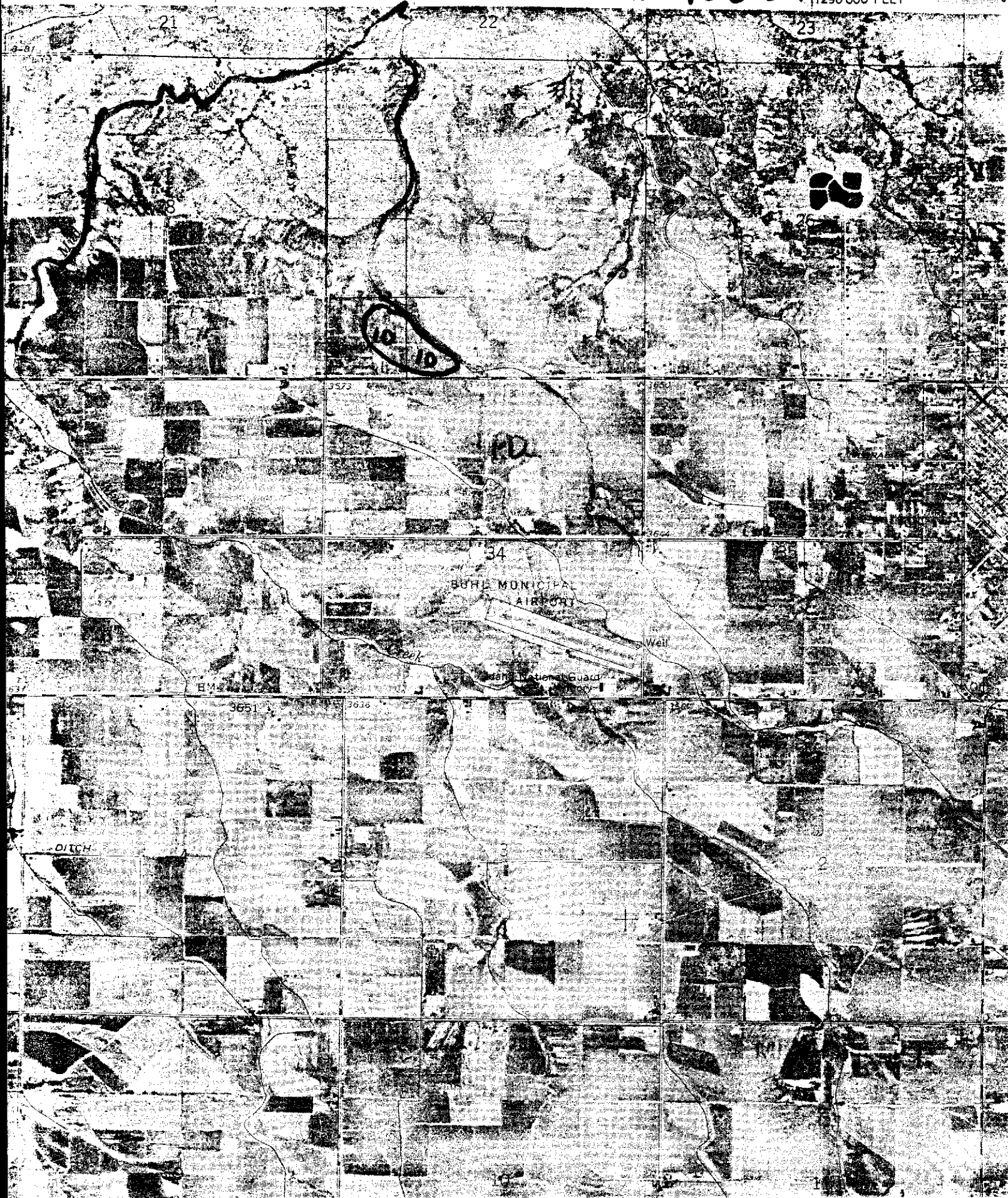
[Signature]
Notary Public



Residing at Twin Falls

My Commission Expires Dec 7, 1994

290 000 FEET





GOVERNOR PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-13364
GARY VAN WINKLE
P.O. BOX 663
BUHL

ID 83316

RE: Evidence of Priority

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

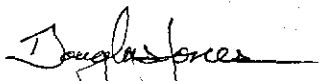
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

Enc.

DEC 03 1996

Log for claim 47-13364

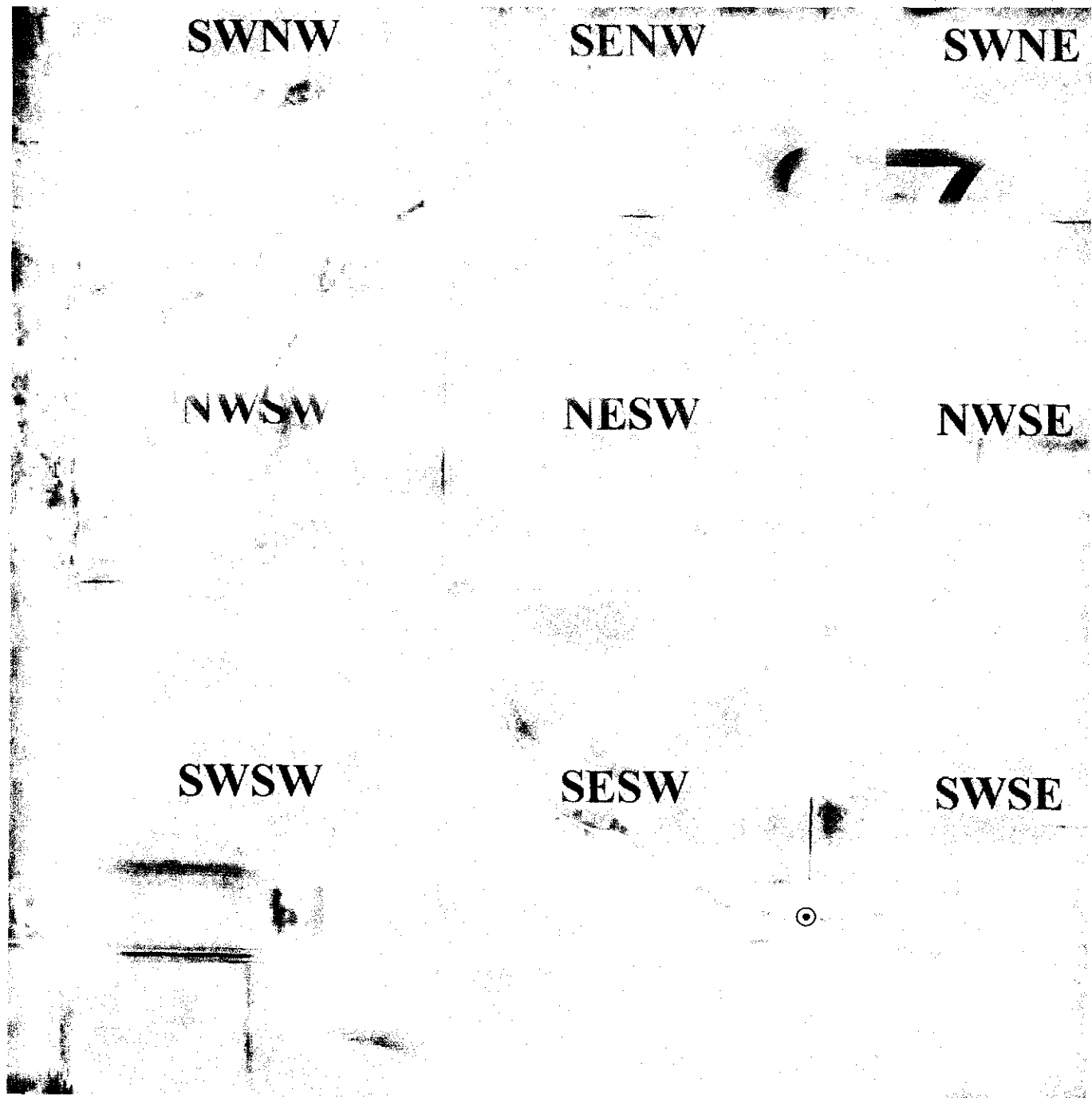
Spatial Dynamics BTD

3/5/01

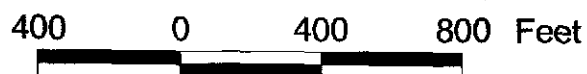
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	27	SWSW	10	17	Indiscernible
09s14e	27	SESW	10	11	
Totals:			20	28	

Water Right Claim Number 47-13364
Township , 9S14E

03/05/2001



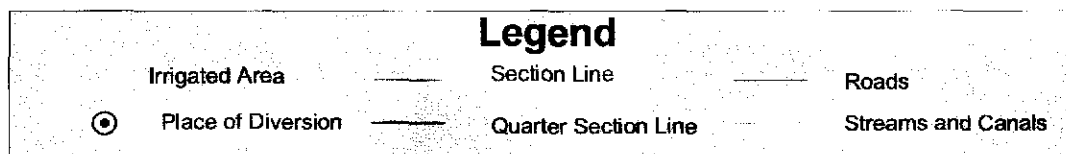
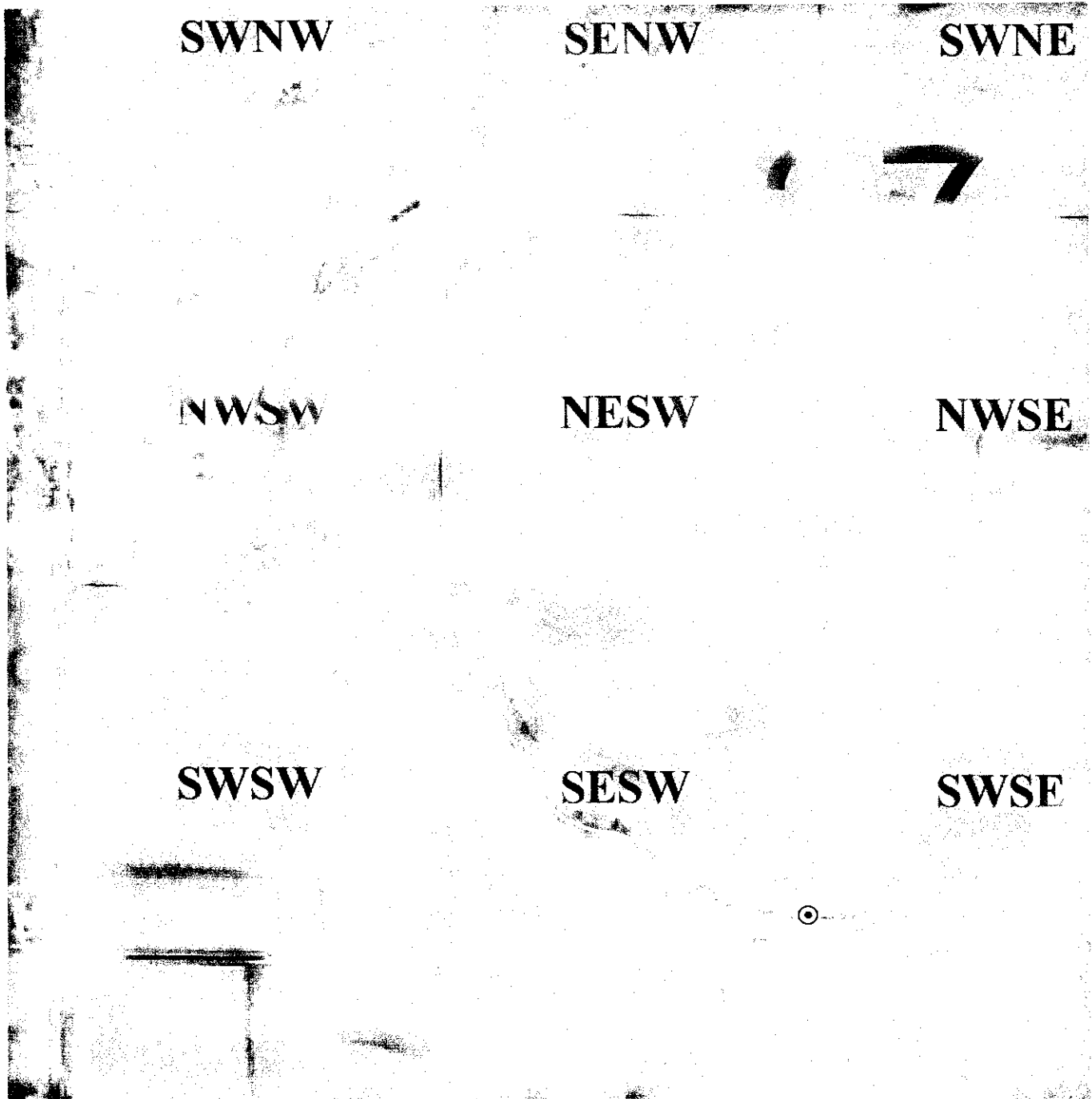
Legend		
Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals



SPATIAL
DYNAMICS

Water Right Claim Number 47-13364
Township , 9S14E

03/05/2001



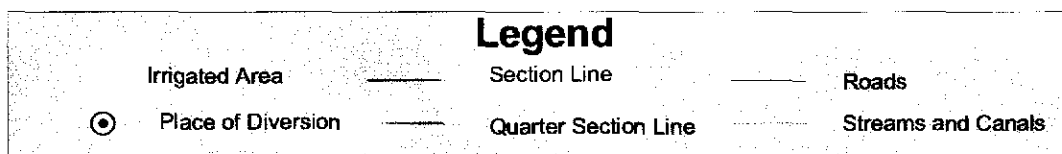
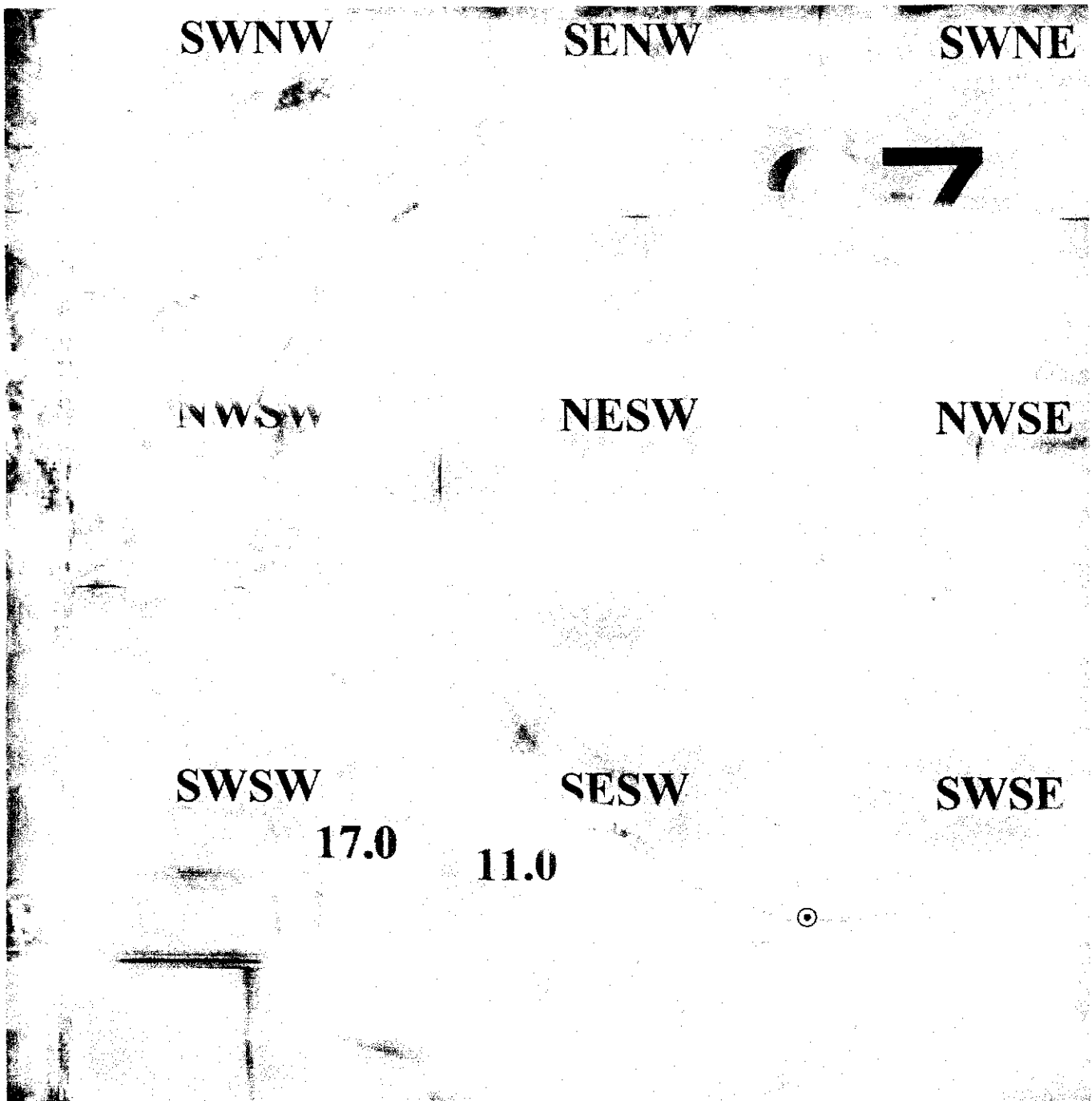
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-13364
Township , 9S14E

03/05/2001



SPATIAL
DYNAMICS

AJ5809NP
No. A47-13364

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 252

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY VAN WINKLE PO BOX 663 BUHL ID 83316 (208) 543-6151	03/15/1950	IRRIGATION	03-15 11-15	0.400 CFS	
TOTAL DIVERSION:					0.400 CFS	
CONSUMPTIVE USE:						60.00 AFA

Water Source: UNNAMED STREAM

Tributary to: MUD CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R14E S27 SESESW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
09S	14E	27	:											10	10			:	20.0	
TOTAL ACRES																			20.0	

POU County: TWIN FALLS

Other Rights: TFCC SHARES

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-11599 47-11600 A47-02244 A47-07592 A47-11599

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020920 A47-02244

Remarks: GEN SOURCE IS AKA WILSON CREEK

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 12/27/88 CLELLAND 01/03/89 CLELLAND 03/30/95 POST-STD