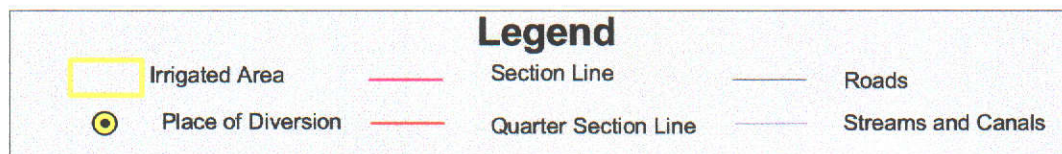
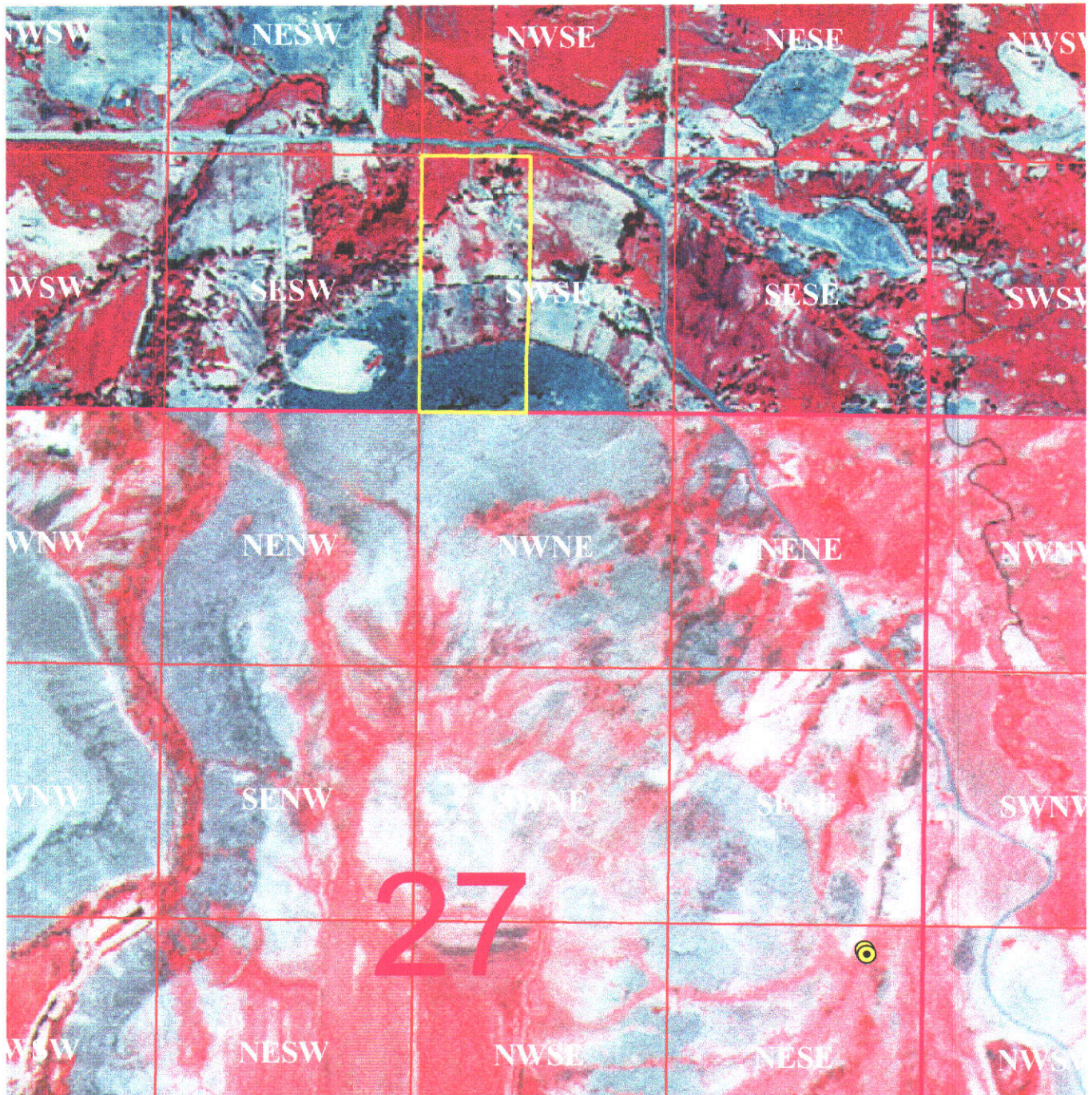


Water Right Claim Number 47-04104
Township , 9S14E

02/20/2001



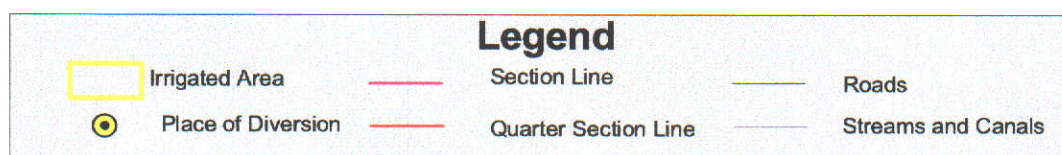
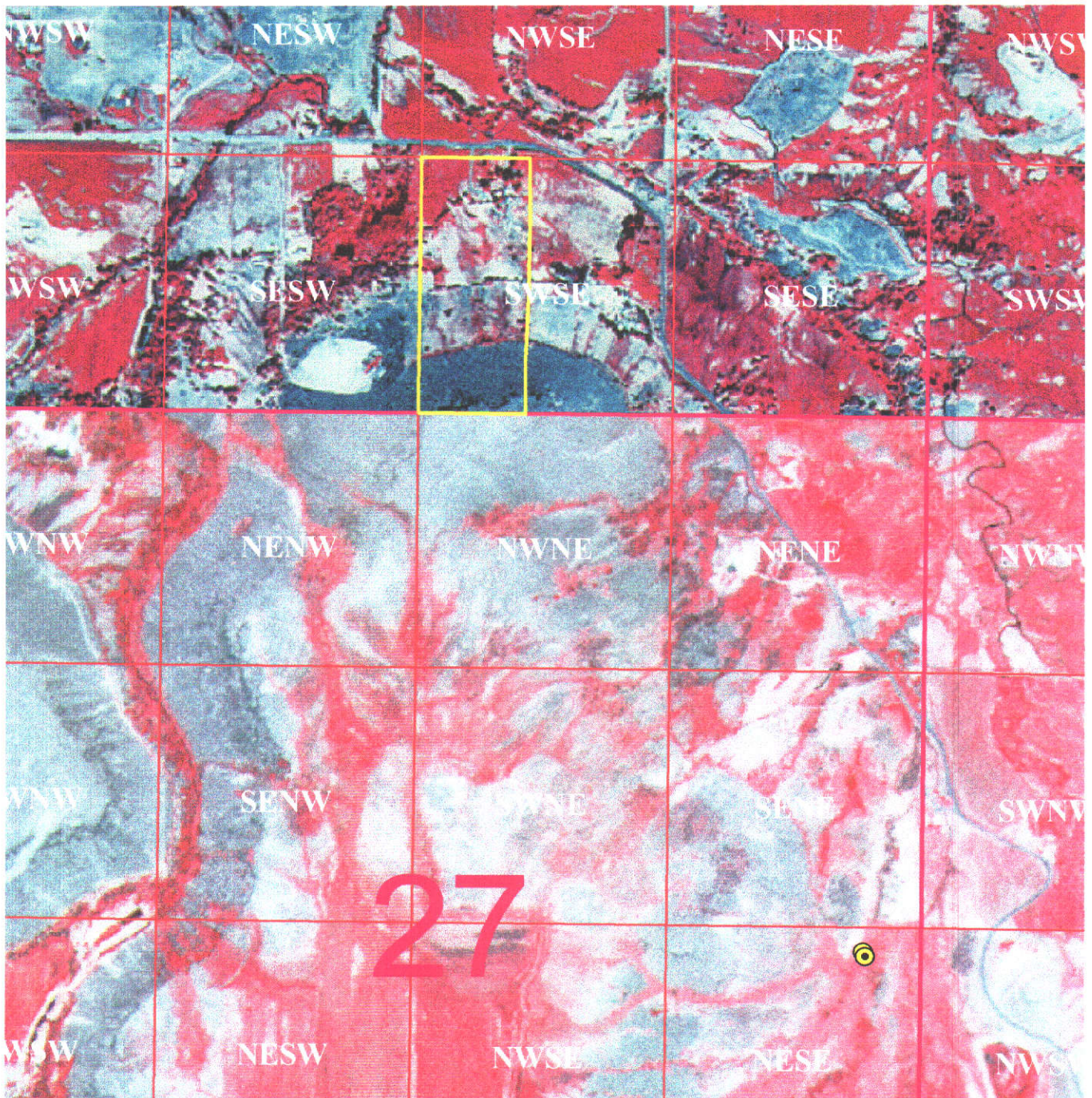
600 0 600 1200 Feet



SPATIAL DYNAMICS

Water Right Claim Number 47-04104
Township , 9S14E

02/20/2001

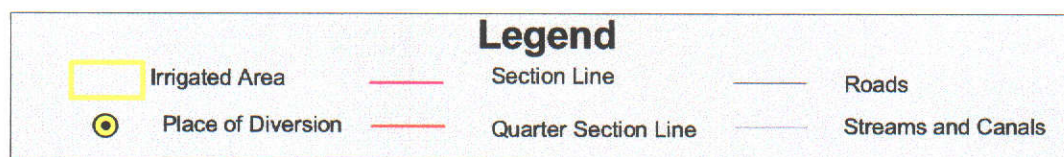
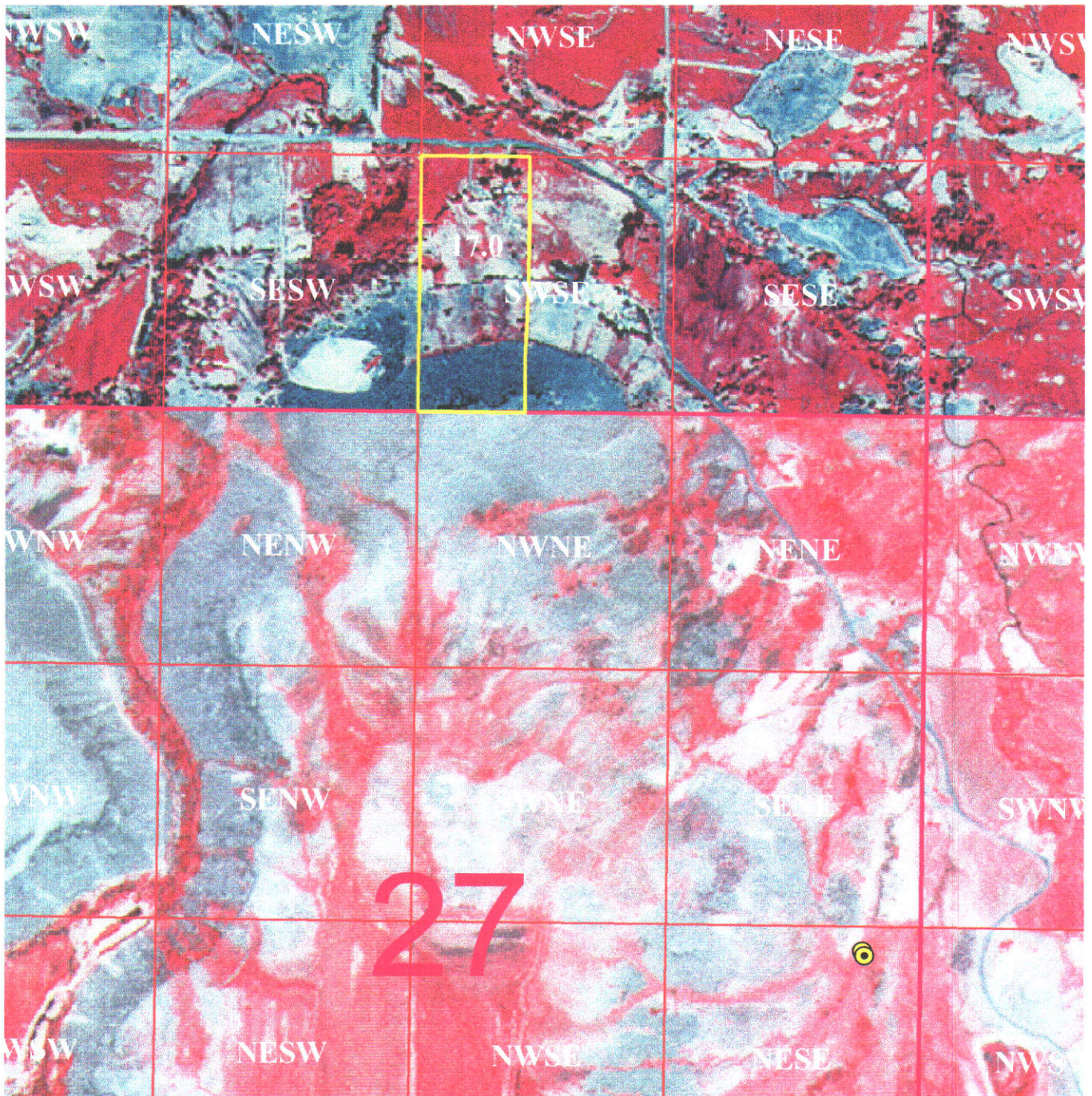


600 0 600 1200 Feet

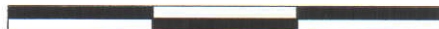


Water Right Claim Number 47-04104
Township , 9S14E

02/20/2001



600 0 600 1200 Feet



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: A47-04104

Date Received: 1/ 5/1989

Receipt No: S005690

Received By: *QPC HLB*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORVILLE GRAESCH 208-543-5352
Address: ROUTE 3
BOX 209
BUHL ID 83316

AND/OR

Name: RALPH H YATZECK 208-543-4952
Address: PO BOX 493
BUHL ID 83316

AND/OR

Name: CHRISTINA R YATZECK 208-543-4952
Address: PO BOX 493
BUHL ID 83316

2. Date of Priority: MAR 15, 1929

3. Source: WASTE WATER TRIB. to: CLEAR CREEK
SPRING CLEAR CREEK

4. Point of Diversion:

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

5. Description of diverting works:
DAM AND DITCH

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.

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NOV 29 1996

8. Total consumptive use is

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	22	SW	SE		IRR	20.0
Section Acres							20.0
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:

14. Remarks:

GRAESCH OWNS 10 ACRES, LANGDON OWNS OTHER 10 ACRES. SEE
ATTACHED MAP & WARRANTY DEED.

12/14/93 OWNERSHIP CHANGE OF LANGDON PORTION
LANGDON TO STRUTHERS ADM.

6/6/95 OWNERSHIP CHANGE OF STRUTHERS PORTION. STRUTHERS TO
YATZECK. MAIDA LEE SIGNED WITH POWER OF ATTORNEY.

15. Basis of Claim: STATUTORY CLAIM

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: MICROFILMED

NOV 29 1996

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 _____

Old (D) Number -

ORVILLE

RALPH H

CHRISTINA R

HENRY

JOHN D

COLETTE M

+ . - Status

- - Tributary
CLEAR CREEK
CLEAR CREEK

Point of Diversion

(83) TWIN FALLS

----- Diversion Rate ----- Diversion Volume

007-0

NOV 29 1996

MICROFILMED
NOV 29 1996

Name Connector

- AND/OR

Presumption flag
Notice of Error Flag

-

MICROFILMED
NOV 29 1996

RECEIVED

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

MAY 24 1995

Department of Water Resources
Southern RegionPlease print or type
(see instructions on back of page)DATE OF CLOSING: 3/24/95LEGAL DESCRIPTION OF PROPERTY: Township 9S Range 14E
Section 22, 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A47-04104
- ☐ Name and Address of Former Owner/Claimant(s) (Seller): Orville Graesch for John D for Colette Struthers
1257 E 4325N 153 Pierce St
Buhl ID 83316 Twin Falls, ID 83301
- ☐ New Owner/Claimant (Purchaser): Orville Graesch for Ralph H for Christina Yatzek
- ☐ New Mailing Address: No Change PO Box 493
Buhl, ID 83316
- ☐ New Telephone Number: (208) 543-4952 Maida Lee
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☒ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Maida Lee (P.O.A.) Date 5/24/95
Date _____
- ☐ Signature of Former Owner/Claimant(s) _____ Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6/6/95 By: HB

Claim Numbers of Split, if any:

MICROFILMED

NOV 29 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

TWIN FALLS COUNTY, IDAHO
TITLEFACT

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

1995 MAR 28 A 11:55

19950047911

***** SPACE ABOVE FOR RECORDER *****
36739ML

300 **WARRANTY DEED**

FOR VALUE RECEIVED JOHN D. STRUTHERS AND COLETTE M. STRUTHERS, husband and wife, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto RALPH H. YATZECK, JR. AND CHRISTINA R. YATZECK, husband and wife, hereinafter called grantee, whose address is: P.O. Box 493, Buhr, Id
83316 the following described premises, in Twin Falls County, Idaho, to-wit:

Township 9 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 22: A parcel of land located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, being more particularly described as follows:
COMMENCING at the Southwest corner of Section 22;
THENCE South 89°04'30" East, 2639.04 feet to the South quarter corner of Section 22 and being the REAL POINT OF BEGINNING;
THENCE North 00°45'47" East, 1330.96 feet to the Northwest corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22;
THENCE South 89°19'25" East, 307.28 feet (304.47 of record), along the North boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22;
THENCE South 00°51'56" West, 1332.29 feet, to the South boundary of Section 22;
THENCE North 89°04'30" West, 304.88 feet, to the REAL POINT OF BEGINNING.

SUBJECT TO: A county roadway easement along the North boundary of above described parcel, being more particularly described as follows:

COMMENCING at the Southwest corner of Section 22;
THENCE South 89°04'30" East, 2639.04 feet to the South quarter corner of Section 22;
THENCE North 00°45'47" East, 1330.96 feet to the Northwest corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, and being the REAL POINT OF BEGINNING of said easement;
THENCE South 89°19'25" East, 307.28 feet along the North boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22;
THENCE South 00°51'56" West, 34.97 feet;
THENCE North 86°24'46" West, 307.59 feet;
THENCE North 00°45'45" East, 19.35 feet, to the REAL POINT OF BEGINNING of said easement.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 24, 1995

John D. Struthers
JOHN D. STRUTHERS

Colette M. Struthers
COLETTE M. STRUTHERS

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 27th day of MARCH, 1995, before me, a Notary Public in and for said State, personally appeared JOHN D. STRUTHERS AND COLETTE M. STRUTHERS, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Marta L. LeMay
Notary Public for Idaho
Residing in: BUHL
Commission Expires: 9-8-99

36739ML
GENERAL POWER OF ATTORNEY

Know All Men by These Presents: That Ralph H. Yatzeck Jr. and Christina R. Yatzeck
of Buhl, County of Twin Falls, State of Idaho,
has made, constituted and appointed, and by these presents do make, constitute, and appoint
MME Maida E. Lee, of Buhl, County of
Twin Falls, State of Idaho, true and lawful attorney for
and in the name^s, place^s and stead, and for their use and benefit, to ask, demand,
sue for, recover, collect, and receive all such sums of money, debts, dues, accounts, legacies, bequests,
interest, dividends, annuities, and demands whatsoever, as are now or shall hereafter become due, owing,
payable, or belonging to them, and have, use, and take all lawful ways and means in their
name^s or otherwise for the recovery thereof, by attachments, arrests, distress or otherwise, and to com-
promise and agree for the same, and acquittances, or other sufficient discharges for the same, for
and in their name^s, to make, seal, and deliver; to bargain, contract, agree for, purchase, receive,
and take lands, tenements, hereditaments, and accept the seisin and possession of all lands, and all deeds
and other assurances in the law therefor, and to lease, let, demise, bargain, sell, remise, release, convey,
mortgage, and hypothecate lands, tenements, and hereditaments upon such terms and conditions, and
under such covenants as she shall think fit. Also, to bargain and agree for, buy, sell, mortgage,
hypothecate, and in any and every way and manner deal in and with goods, wares, and merchandise,
choses in action, and other property in possession or in action, and to make, do, and transact all and every
kind of business of what nature or kind soever, and also for them and in their name^s
and as their act and deed to sign, seal, execute, deliver, and acknowledge such deeds, leases, and
assignment of leases, covenants, indentures, agreements, mortgages, hypothecations, bottomries, charter-
parties, bills of lading, bills, bonds, notes, receipts, evidences of debt, releases, and satisfaction of mort-
gages, judgments and other debts, and such other instruments in writing of whatever kind and nature as
may be necessary or proper in the premises.

Giving and granting unto her said attorney full power and authority to do and perform all
and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully
to all intents and purposes as she might or could do if personally present (with full power of sub-
stitution or revocation), hereby ratifying and confirming all that their said attorney (or his
substitute or substitutes) shall lawfully do or cause to be done by virtue of these presents.

IN WITNESS WHEREOF, we have hereunto set our hands and seal XXXX this
day of October 20, 1994.

Signed, sealed and delivered in the presence of

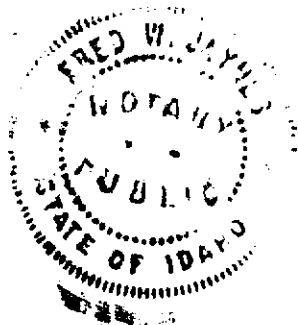
R. Yatzeck (Seal)
Christina Yatzeck (Seal)

STATE OF IDAHO,
County of Twin Falls } ss.

On this 20 day of October in the year 19 94, before me
Ralph H. Yatzek Jr., and Christina R. Yatzek

in and for said County, personally appeared _____
known to me to be the person S whose name S subscribed to the within instrument, and
acknowledge to me that she 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.



Fred W. Jaynes

ALLIANCE COUNTY, IDAHO

FOR: TITLEFACT, Inc.

1995 MAR 28 A 11:55

1995081790 11-18-98

U.S. FORT

6:00

J. Hayworth

No. _____

POWER OF ATTORNEY
GENERAL

TO

Dated _____, 19____

STATE OF IDAHO,

County of _____

ss.

I hereby certify that this instrument
was filed for record at the request of

at _____ minutes past _____

o'clock _____ M., this _____ day

of _____, A.D. 19____

in my office, and duly recorded in Book

of _____ at page _____

Ex-Officio Recorder.

By _____, Deputy.

Fees, \$ _____

SWME-YORK CO. PRINTERS & BINDERS, MOORE

MICROFILMED
NOV 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JUNE 6, 1995

RALPH & CHRISTINA YATZECK
PO BOX 493
BUHL, ID 83316

RE: SRBA CLAIM A47-04104, A47-10749, & A47-10750
STRUTHERS & HEDQUIST

DEAR CLAIMANTS:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIMS, WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS THE ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED

NOV 29 1996



DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83401 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-04104
ORVILLE GRAESCH
ROUTE 3
BOX 209
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.

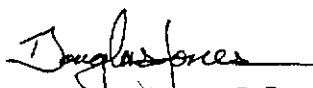
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in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

MICROFILMED

NOV 29 1996



DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83401 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-04104
JOHN D STRUTHERS
COLETTE M STRUTHERS
153 PIERCE ST
TWIN FALLS

ID 83301

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

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.

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Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED

NOV 29 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

DATE

February 22, 1995 11:08am

CUSTOMER

MRS WETZSTEIN

SUBJECT: evidence of priority FOR A47-04104

phone call () walk-in (X)

We discussed the requirements for evidence of priority for her folk's use. I also did an ajql search for domestic rights for her. I did not find any rights. We discussed domestic water rights.

MICROFILMED

NOV 29 1996

RECEIVED

MAR 15 1995

IN THE MATTER OF:

Case # A47-04104

Department of Water Resources
Southern Region

State of Idaho

County of Twin Falls

AFFIDAVIT

Mildred Lyon being first duly sworn, deposes and

says: As a neighbor I have seen water
used as irrigation on pasture. I have
lived in this vicinity since 1935.

Mildred Lyon (signature)

On this 6th day of March, in the year of 1995
personally appeared Mildred Lyon
known or identified to me to be the person whose name
is subscribed to the within instrument and acknowledged
to me that he executed the same.

Janice M. Edmunds (notary public)

Residing at Buhl, Idaho

My commission expires 09-12-96 MICROFILMED

NOV 29 1996

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: A47-04104
Date Received: 1/05/1989
Receipt No: S005690
Received By: lw

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ORVILLE GRAESCH 208-543-5352
Address: ROUTE 3
BOX 209
BUHL, ID 83316
Name: HENRY LANGDON 208-543-4745
Address: 124 PAYSEE
BUHL, ID 83316
2. Date of Priority: MAR 15, 1929
3. Source: WASTE WATER TRIB. to: CLEAR CREEK
SPRING CLEAR CREEK
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
09S 14E 27 NE SE TWIN FALLS
5. Description of diverting works:
DAM AND DITCH
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 Acre Feet Per Annum.
9. Non-irrigation uses:

A47-04104

Page 1

Date: 01/18/89

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	22	SW	SE		IRR	20.0
Section Acres							20.0
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:

14. Remarks:

GRAESCH OWNS 10 ACRES, LANGDON OWNS OTHER 10 ACRES. SEE
ATTACHED MAP & WARRANTY DEED.

15. Basis of Claim: STATUTORY CLAIM

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): Henry B. Fargdall Date: 1-18-89

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of Jan 19 89 Con. White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

It is further understood and agreed by and between the parties hereto that a division fence will be required and they hereby expressly agree to share the cost of the installation of said division fence including the cost of materials.

11 IRRIGATION WATER:

12 It is understood and agreed by and between the parties
13 as follows:

14 (1) The above described property of approximately
15 ten (10) acres was formerly part of a parcel of
16 twenty (20) acres all of which was owned by sellers
17 herein.

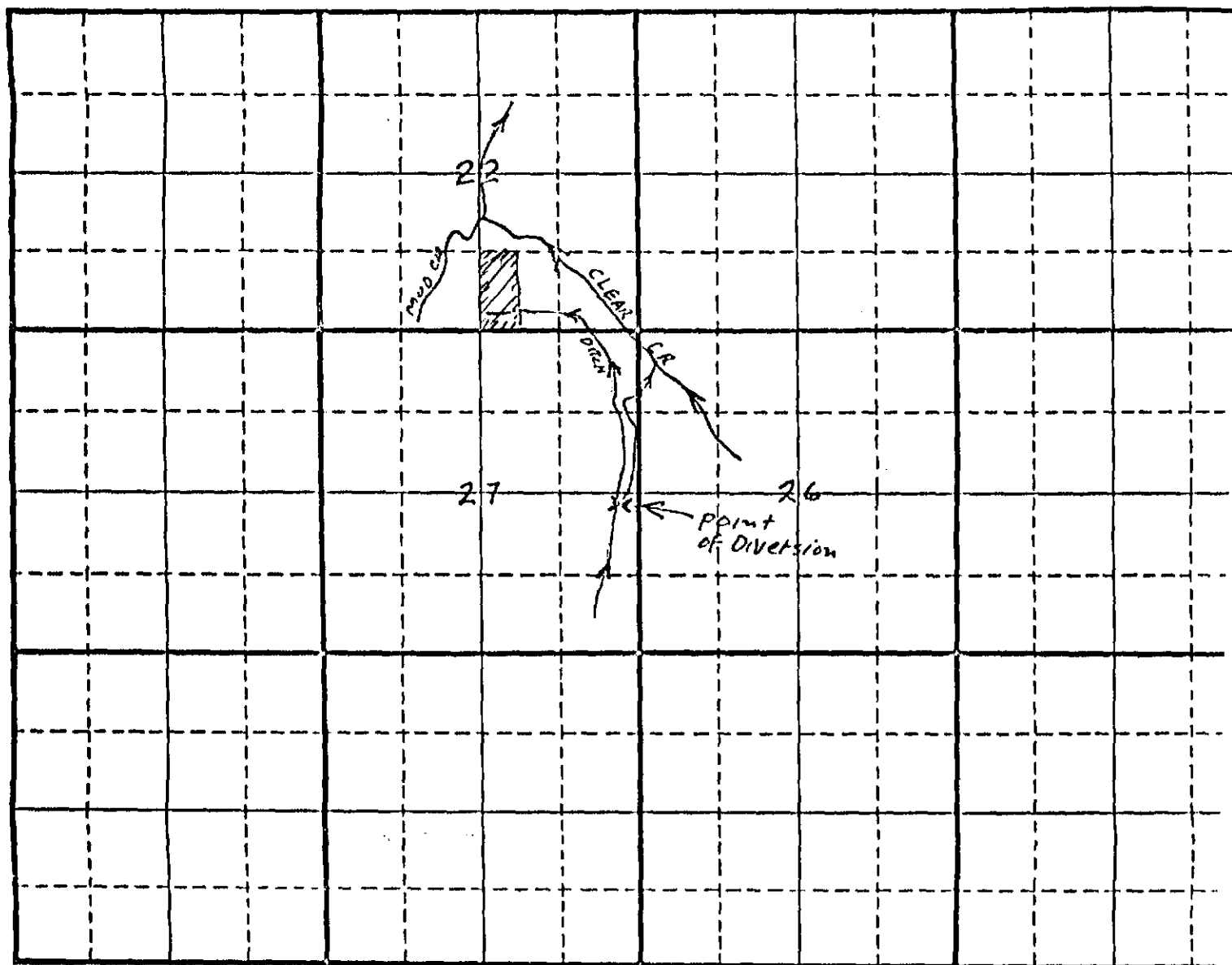
18 (2) Said twenty (20) acres was formerly irrigated
19 as one unit with a combination of waste and seepage
20 water.

21 (3) That it would be inconvenient for the parties
22 to attempt to construct works by which to divide the
23 said irrigation water.

24 (4) That during the irrigation season of 1982 and
25 each irrigation season thereafter the parties hereby
26 agree for themselves, their successors in interest,
27 assigns and heirs, as a covenant running with the
28 land, that all of the water available for irrigation
shall be available for the exclusive use and irrigation
of buyer's parcel for four days and then for sellers'
parcel for the next four (4) days rotating and
alternating in said fashion for the balance of each
irrigation season.

28 AGREEMENT OF SALE - 7

(8) Remarks This water is diverted and used in connection with claim 47-4059



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.

MICROFILMED

OCT 27 1994

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.

Orville Graessch
(Claimant)

Sworn to before me this 14 day of May, 19 79.

Loren C. Holmen
Notary Public

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: A47-04104
Date Received: 12/16/1988
Receipt No: 5005690
Received By: ra

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:- ORVILLE GRAESCH 208-543-5352
Address: ROUTE 3
BOX 209
BUHL, ID 83316

Name: RENATA GRAESCH
Address: ROUTE 3
BOX 209
BUHL, ID 83316
2. Date of Priority: MAR 15, 1929
3. Source: WASTE WATER TRIB. to: CLEAR CREEK
SPRING CLEAR CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 09S | 14E | 27 | NE | SE | | | TWIN FALLS |
5. Description of diverting works:
DAM AND DITCH
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 Acre Feet Per Annum.
9. Non-irrigation uses:

A47-04104

Page 1

Date: 12/16/88

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	14E	22	SW SE		IRR	20.0
Section Acres						20.0
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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Orville Graesch Date: _____

Date: _____

State of Idaho)
County of TC) SS.

Subscribed and sworn (or affirmed) before me this 16 day

of Dec 19 88

Toni White
Notary Public

Seal

Residing at TC

My Commission Expires 5/94

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: A47-04104
Date Received: 1/ 5/1989
Receipt No: S005690
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	ORVILLE GRAESCH	208-543-5352
Address:	ROUTE 3	
	BOX 209	
	BUHL ID	83316
AND/OR		
Name:	JOHN D STRUTHERS	208-733-0919
Address:	153 PIERCE ST	
	TWIN FALLS ID	83301
AND/OR		
Name:	COLETTE M STRUTHERS	208-733-0919
Address:	153 PIERCE ST	
	TWIN FALLS ID	83301

2. Date of Priority: MAR 15, 1929

3. Source: WASTE WATER	Trib. to: CLEAR CREEK
SPRING	CLEAR CREEK

4. Point of Diversion:

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

5. Description of diverting works:
DAM AND DITCH

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.

UC 27 1994

8. Total consumptive use is

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	22	SW SE		IRR	20.0
Section Acres						20.0
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:

14. Remarks:

GRAESCH OWNS 10 ACRES, LANGDON OWNS OTHER 10 ACRES. SEE
ATTACHED MAP & WARRANTY DEED.

12/14/93 OWNERSHIP CHANGE OF LANGDON PORTION
LANGDON TO STRUTHERS ADM.

15. Basis of Claim: STATUTORY CLAIM

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: _____

A47-04104

[] Name and Address of Former
Owner/Claimant(s)(Seller): _____

Orville Graesch $\frac{1}{4}$ or

Henry Langdon

Rt. 3 Box 209

124 Paysee

Buhl, ID 83316

Buhl, ID 83316

[] New Owner/Claimant
(Purchaser): _____

Orville Graesch $\frac{1}{4}$ or

John D. & Glette M. Struthers

[] New Mailing Address: _____

(No change)

153 Pierce St
Twin Falls, ID 83301

[] New Telephone Number: () _____

733-0919

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

X Attach proof of
ownership, describe
proof attached: _____

Deed from Langdon to Struthers
of Langdon's portion. Water to
be delivered as per agreement

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s): _____

John D. Struthers

Date 12.14.93

_____ Date

[] Signature of Former
Owner/Claimant(s): _____

_____ Date

_____ Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/14/93 By: ADm

Further Action Needed: _____

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 12/14/93 By: ADm

Claim Numbers of Split, if any: _____

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

2834261

WARRANTY DEED

POOR ORIGINAL

For Value Received

HENRY B. LANGDON, JR., a single man

The grantor, does hereby grant, bargain, sell and convey unto

JOHN D. STRUTHERS and COLETTE M. STRUTHERS, husband and wife

the grantee^s, whose current address is 153 Pierce St. Twin Falls, Idaho 83316

the following described premises, in Twin Falls County Idaho, to-wit:

See "APPENDIX A" Attached

TWIN FALLS COUNTY, IDAHO
 CLERK FOR: TITLEFACT, Inc.

1993 NOV 16 A H 15 1993017179

ROBERT S. FORT
 EX-OFFICIO RECORDER
 FEE: 6.00 DEPUTY CF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 15, 1993

Henry B. Langdon Jr.
 HENRY B. LANGDON, JR.

STATE OF IDAHO, COUNTY OF TWIN FALLS
 On this 15th day of November, 1993,
 before me, a notary public in and for the said State, personally appeared

Henry B. Langdon Jr.

known or identified to me to be the person whose name
 subscribed to the within instrument, and acknowledged to me
 that he executed the same.

[Signature]

Notary Public
 Residing at Buhl, Idaho
 Comm. Expires 11/16/99

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INSTRUMENT NO. MI

APPENDIX A

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

Section 22: A parcel of land located in the $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$, being more particularly described as follows:

COMMENCING at the Southwest corner of Section 22;

THENCE South $89^{\circ}04'30''$ East, 2639.04 feet to the South quarter corner of Section 22 and being the REAL POINT OF BEGINNING;

THENCE North $00^{\circ}45'47''$ East, 1330.96 feet, to the Northwest corner of $SW\frac{1}{4}SE\frac{1}{4}$, Section 22;

THENCE South $89^{\circ}19'25''$ East, 307.28 feet (304.47 of record), along the North boundary of said $SW\frac{1}{4}SE\frac{1}{4}$, Section 22;

THENCE South $00^{\circ}51'56''$ West, 1332.29 feet, to the South boundary of Section 22;

THENCE North $89^{\circ}04'30''$ West, 304.88 feet, to the REAL POINT OF BEGINNING.

SUBJECT TO: A county roadway easement along the North boundary of above described parcel, being more particularly described as follows:

COMMENCING at the Southwest corner of Section 22;

THENCE South $89^{\circ}04'30''$ East, 2639.04 feet to the South quarter corner of Section 22;

THENCE North $00^{\circ}45'47''$ East, 1330.96 feet to the Northwest corner of $SW\frac{1}{4}SE\frac{1}{4}$, Section 22, and being the REAL POINT OF BEGINNING of said easement;

THENCE South $89^{\circ}19'25''$ East, 307.28 feet along the North boundary of said $SW\frac{1}{4}SE\frac{1}{4}$, Section 22;

THENCE South $00^{\circ}51'56''$ West, 34.97 feet;

THENCE North $86^{\circ}24'46''$ West, 307.59 feet;

THENCE North $00^{\circ}45'45''$ East, 19.35 feet, to the REAL POINT OF BEGINNING of said easement.

TOGETHER WITH a claim for a water right, Claim No. 47-4104, Claimant: Orville Graesch &/or Renata Graesch, Date of priority: March 15, 1929, received by State of Idaho, Department of Water Resources, May 14, 1979.

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1 subject to dispossession under the law relating to forcible entry
2 and detainer.

3 DIVISION FENCE:

4 It is understood and agreed by and between the parties
5 hereto that sellers own a parcel of approximately 20 acres and
6 buyer herein is purchasing the West one-half of that parcel. It is
7 further understood and agreed by and between the parties hereto
8 that a division fence will be required and they hereby expressly
9 agree to share the cost of the installation of said division fence
10 including the cost of materials.

11 IRRIGATION WATER:

12 It is understood and agreed by and between the parties
13 as follows:

14 (1) The above described property of approximately
15 ten (10) acres was formerly part of a parcel of
16 twenty (20) acres all of which was owned by sellers
herein.

17 (2) Said twenty (20) acres was formerly irrigated
18 as one unit with a combination of waste and seepage
19 water.

20 (3) That it would be inconvenient for the parties
21 to attempt to construct works by which to divide the
22 said irrigation water.

23 (4) That during the irrigation season of 1982 and
24 each irrigation season thereafter the parties hereby
25 agree for themselves, their successors in interest,
26 assigns and heirs, as a covenant running with the
27 land, that all of the water available for irrigation
28 shall be available for the exclusive use and irrigation
of buyer's parcel for four days and then for sellers'
parcel for the next four (4) days rotating and
alternating in said fashion for the balance of each
irrigation season.

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future conflict shall arise between them involving litigation by
reason of this sale, the law firm of Hepworth, Nungester & Felton
can only represent the sellers and cannot in any way represent the
interests of the buyer. The buyer acknowledges that by this
paragraph, the firm of Hepworth, Nungester & Felton informs buyer
that said buyer should have separate counsel. The buyer hereby
acknowledges that said firm of attorneys has advised said buyer
that buyer has the privilege of consulting independent counsel at
any phase of this transaction.

HEIRS, ETC.:

The covenants in this contract shall extend to and bind
the heirs, personal representatives, assigns and successors of the
respective parties hereto.

SIGNATURES:

IN WITNESS WHEREOF, the parties hereto have hereunto set
their hands, the day and year in this contract first above written.

Orville A. Graesch
ORVILLE A. GRAESCH

Renata Graesch
RENATA GRAESCH - Sellers

Henry B. Langdon, Jr.
HENRY B. LANGDON, JR. - Buyer

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 6th day of July, 1982, before me, a
Notary Public in and for said State, personally appeared ORVILLE A.
GRAESCH and RENATA GRAESCH, husband and wife, known to me to be the

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-Dec-1993

ORVILLE GRAESCH
RT 3 BOX 209
BUHL ID 83316

Re: Ownership Change for Adjudication Claim #A47-04104
GRAESCH-LANGDON/GRAESCH-STRUTHERS

Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. (Mr. Struthers was in our office and requested these changes.) Please find enclosed a copy of the computer record of the claim noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,


Jeanie Robertson
Records Clerk

/jlr
Enclosures

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Log for claim 47-04104

Spatial Dynamics BTD

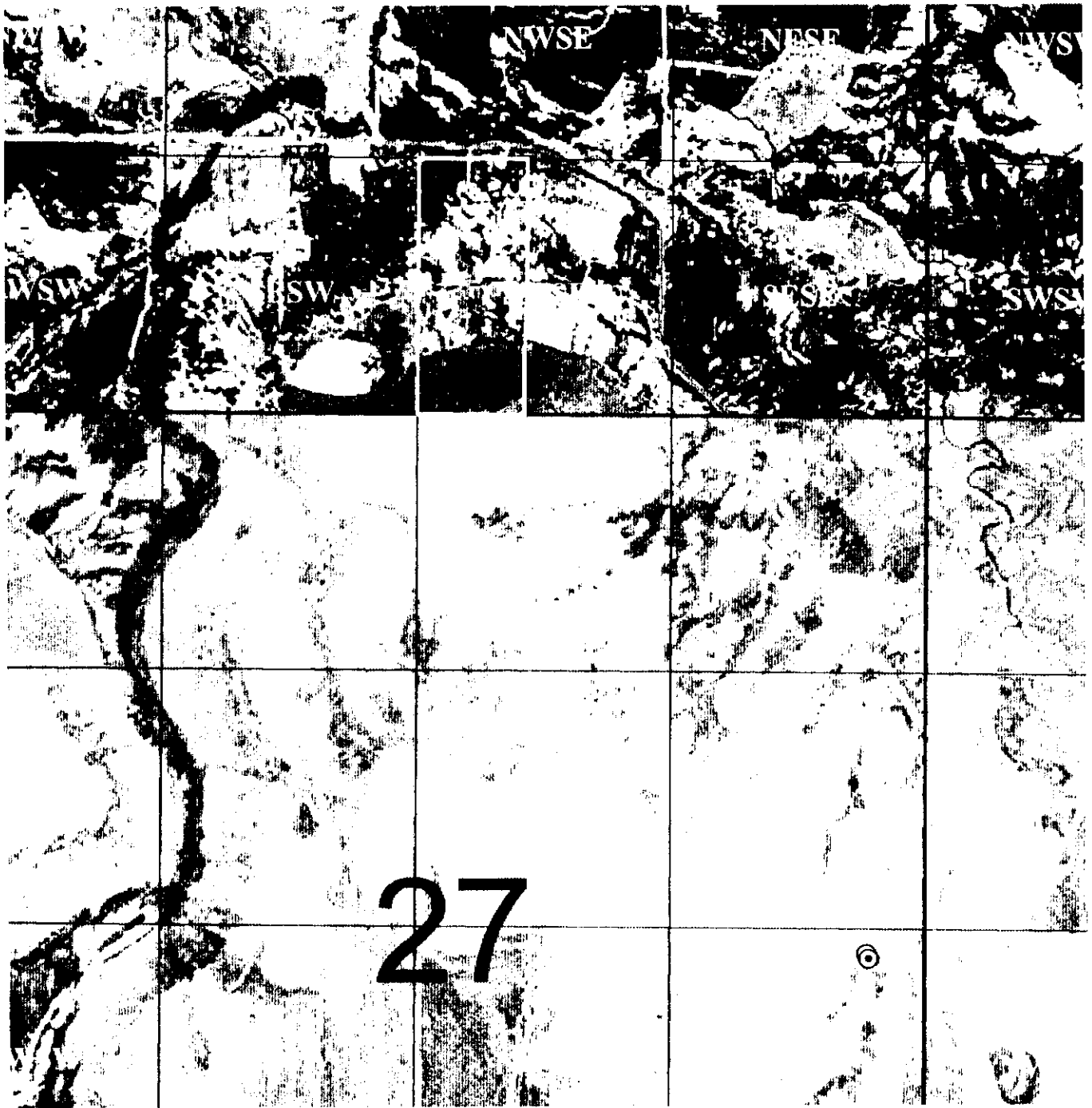
2/20/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	22	SWSE	20	17	Two POD's have the same POD ID number.
Totals:			20	17	

 **SPATIAL
DYNAMICS**

Water Right Claim Number 47-04104
Township , 9S14E

02/20/2001



27

Legend

Irrigated Area

Section Line

Place of Diversion

Quarter Section Line

Roads

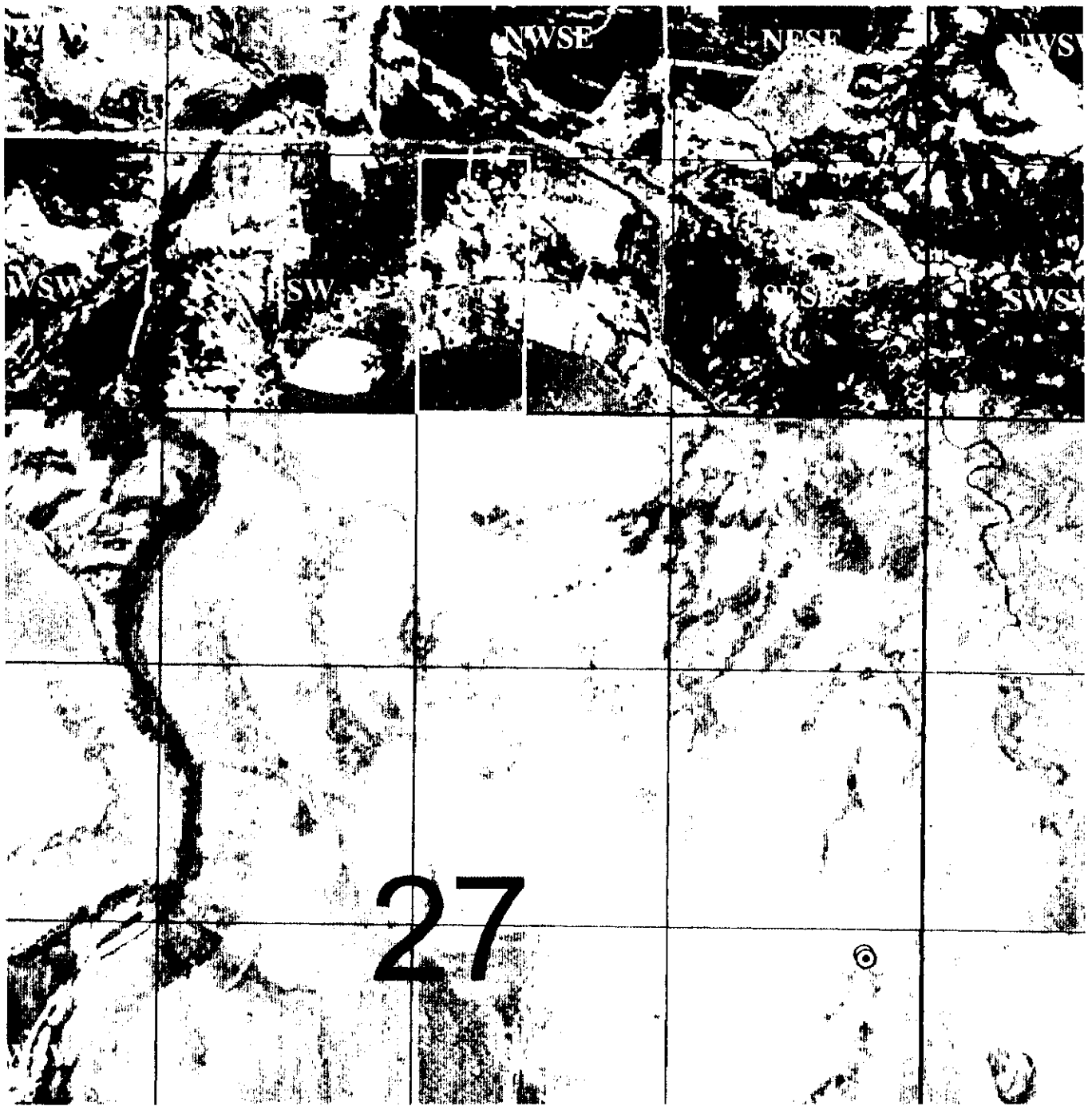
Streams and Canals



600 0 600 1200 Feet

SPATIAL DYNAMICS

02/20/2001



Legend

Irrigated Area

Section Line



Place of Diversion

Quarter Section Line

Roads

Streams and Canals



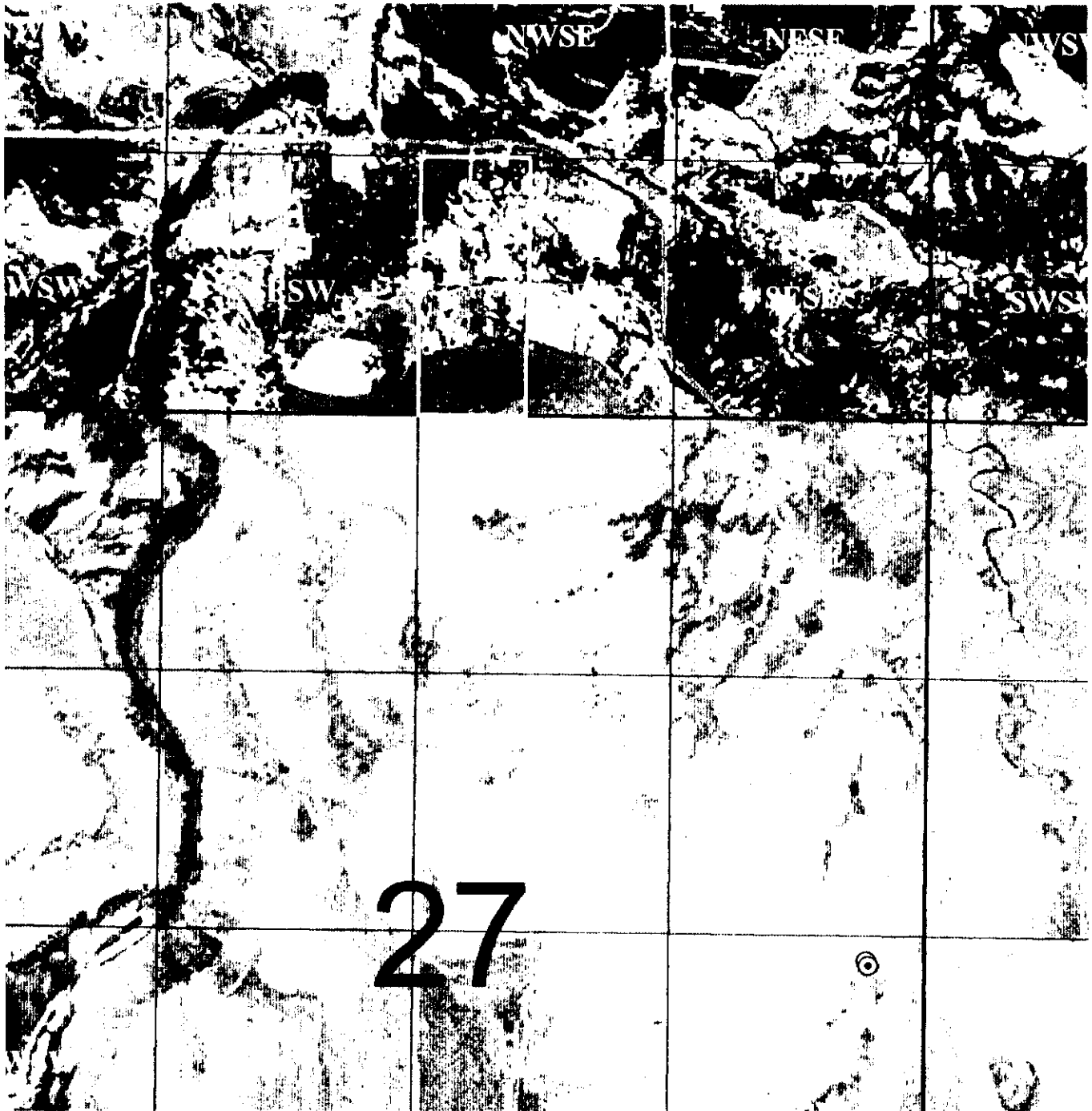
600 0 600 1200 Feet



SPATIAL DYNAMICS

Water Right Claim Number 47-04104
Township , 9S14E

02/20/2001



Legend

Irrigated Area



Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals



600 0 600 1200 Feet



*SPATIAL
DYNAMICS*

DATE: 01/30/01
PAGE: 93

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	Lt	Ac	:	SUM
09S	14E	22	:																	:	20.0
																		20	:	20.0	
																		TOTAL ACRES		:	20.0

POU County: TWIN FALLS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A47-04241 A47-04463 R47-04104 R47-04463

Other Water Rights Listing Overlapping Place(s) of Use:

A47-04059 R47-04104

Remarks: GEN GRAESCH OWNS 10 ACRES, LANGDON OWNS OTHER 10 ACRES. SEE ATTACHED MAP & WARRANTY DEED.

12/14/93 OWNERSHIP CHANGE OF LANGDON PORTION
LANGDON TO STRUTHERS ADM.

6/6/95 OWNERSHIP CHANGE OF STRUTHERS PORTION. STRUTHERS TO YATZECK. MAIDA LEE SIGNED WITH POWER OF ATTORNEY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A47-04104

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 94

=====

Audit: 12/16/88 WHITE 01/18/89 WHITE 12/14/93 MERRITT 03/30/95 POST-STD
06/06/95 TBACKLUN

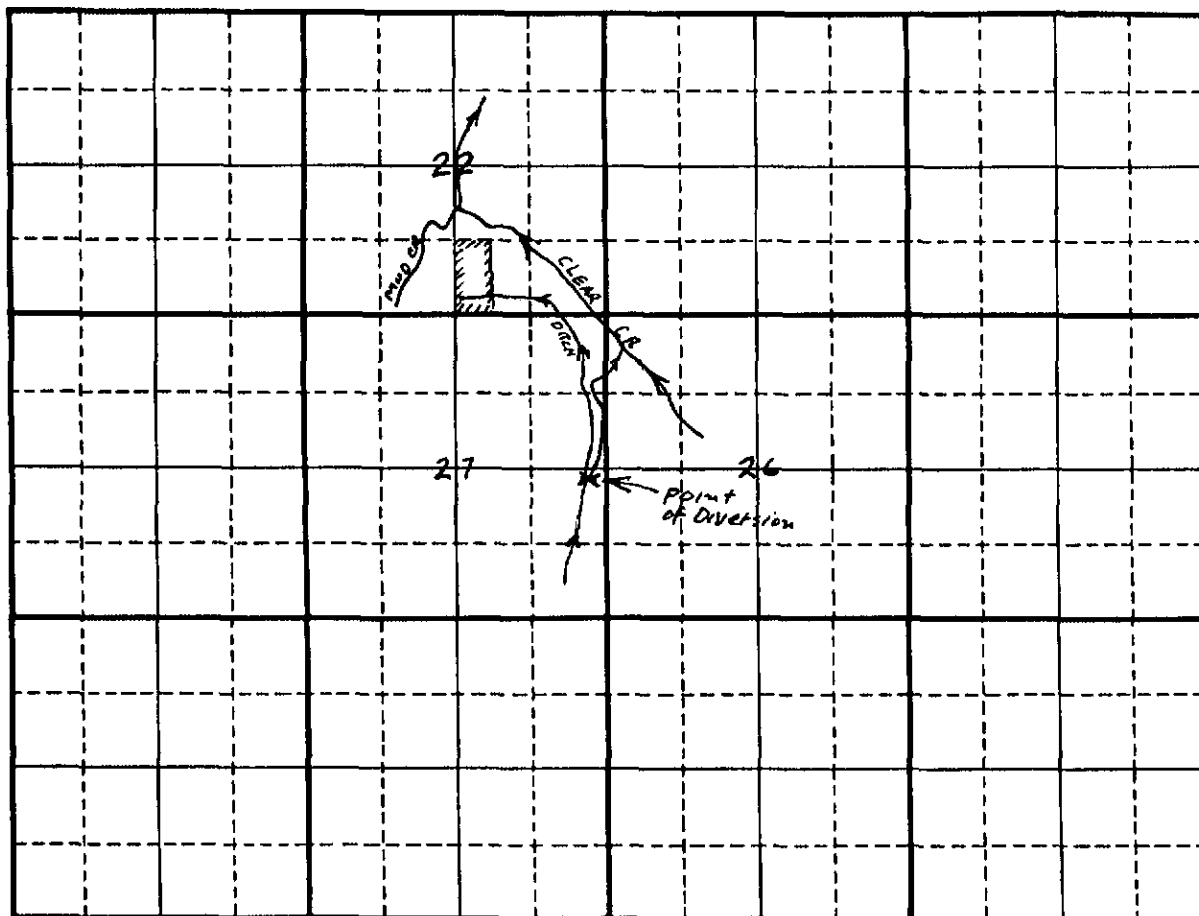
CLAIM TO A WATER RIGHT

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

Route 3 - Box 209, Buhl, Idaho 83316 Telephone No. 543-5778
(Mailing Address) (Zip Code)

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(8) Remarks This water is diverted and used in connection with claim 47-4059



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)
) ss.
County of Twin Falls)

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.

Orville Graessch
(Claimant)

Sworn to before me this 14 day of May, 19 79.

Loren O. Halmer
Notary Public
Residing at Twin Falls, Idaho 83301

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by LT Date 5-14-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by gt Date 5-15-79 claimant by: _____
\$20.00 fee received by mta Date 5-16-79 # 2793
Published in Times News
Dates 5/31 + 6/7/79