

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: A74-00869  
Date Received: 4/17/1990  
Receipt No: X999999  
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ROBERT CAFFERO 208-756-3554  
Address: PO BOX 54  
TENDON, ID 83468

OR  
Name: MONIQUE CAFFERO 208-756-3554  
Address: PO BOX 54  
TENDON, ID 83468

2. Date of Priority: APR 01, 1946

3. Source: WASTEWATER Trib. to: LEMHI RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 19N      | 24E   | 29      | SE     | SW     |     |     | LEMHI  |

5. Description of diverting works:  
HEADGATE/ DITCHES TO FLOOD IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.070 |      |        |

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

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/ 2 HORSES

A74-00869

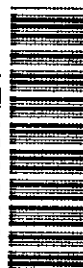
Page 1

Date: 04/17/90

MICROFILMED

DEC 14 1992

A7400869



10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 19N           | 24E   | 29      | SE     | SW  |     | IRR | 4.0   |
| Section Acres |       |         |        |     |     |     | 4.0   |
| Total Acres   |       |         |        |     |     |     | 4.0   |

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
AC. IRR.=3.5.

15. Basis of Claim: DECREED  
Case Number:  
Court :  
Decree date:

\_\_\_\_\_  
Decree Plaintiff

vs

\_\_\_\_\_  
Decree Defendant

16. Signature(s)

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

Number of attachments: 0

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): R. L. W. Carter Date: 4/17/90  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Lemhi ) SS.

Subscribed and sworn (or affirmed) before me this 17 day  
of April 19 90 Dave Carl  
Notary Public

Seal

Residing at Heise, Id  
My Commission Expires 2/26/96

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT  
(REGIONAL)

10/22/97 14:47:52

Page 1

Water Right Number - A74-00869

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
SPLIT RIGHT

1 -  
2 -  
3 -  
City- X State- ID Zip- 0  
Phone -

\*\*\* O - ORIGINAL OWNER \*\*\*  
BARTLETT

MERLE D

1 - PO BOX 42  
2 -  
3 -  
City- TENDON State- ID Zip- 83468  
Phone - 208-000-0000

BARTLETT

MARGARET C

1 - PO BOX 42  
2 -  
3 -  
City- TENDON State- ID Zip- 83468  
Phone - 208-000-0000

CAFFERO

ROBERT

1 - PO BOX 54  
2 -  
3 -  
City- TENDON State- ID Zip- 83468  
Phone - 208-756-3554

CAFFERO

MONIQUE

1 - PO BOX 54  
2 -  
3 -  
City- TENDON State- ID Zip- 83468  
Phone - 208-756-3554

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
04/01/1946 15 EASTERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +  
WASTEWATER LEMHI RIVER  
SPLIT RIGHT

+ - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County  
19N 24E 29 SE SW (59) LEMHI

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 03/15 11/15 0.070

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
0.070 10.0

Water right number - A74-00869

Prefix Translation: ADJUDICATION CLAIM

| Tw  | Rng | Sec | Tract | Lot | Acres | Code | Description | County     |
|-----|-----|-----|-------|-----|-------|------|-------------|------------|
| 19N | 24E | 29  | SE SW |     |       | 01   | IRRIGATION  | (59) LEMHI |

Total Acres:

+ - - Diversion Means - HEADGATE/ DITCHES TO FLOOD IRR.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -

GEN AC. IRR.=3.5.

\*\*\*  
CLAIM IS SPLIT BY CHANGE OF OWNERSHIP, JULY 1997, AS;  
A74-00869A, 3.3 AC, 0.058 CFS, R. CAFFERO  
A74-00869B, 0.7 AC, 0.012 CFS, E. VIHLEN

TOTAL; 4.0 AC, 0.07 CFS, CLAIMED IN FULL.

+ - - - - - Old Water Right Numbers - - - - -  
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - -  
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +  
00/00/0000

+ - - - - - Comments - - - - -  
No Comments Found

+ - - Audit Fields - - +  
10/22/97 ARUBERRY

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

|                                   |                                    |                             |
|-----------------------------------|------------------------------------|-----------------------------|
| Court Report Filing - 00/00/0000  | Field Inspection Made - 00/00/0000 | Civil Case Number - 39576   |
| Objection Filed Date - 00/00/0000 | Field Inspection Flag -            | Old Case Number -           |
| Response Filed Date - 00/00/0000  | Verified Date - 00/00/0000         | Old Judicial District -     |
| Claim Received Date - 04/17/1990  | Last Amended Date - 00/00/0000     | Temporary Right - P         |
|                                   | Receipt Number - X999999           | Water District -            |
|                                   | POU Ownership Flag - Y             | Federal/State Indicator - S |
|                                   | Name Connector - AND/OR            | Presumption Flag -          |
|                                   |                                    | Notice of Error Flag -      |

DATE: 08/19/97  
PAGE: 1

**Stage: DECREED**

LEMHI County

SE

Other Rights: NONE

**Objection Filed Date:**

Field Inspection Flag:  
Presumption Flag:

M E M O R A N D U M

Date: October 23, 1997

To: Files

From: Jennifer

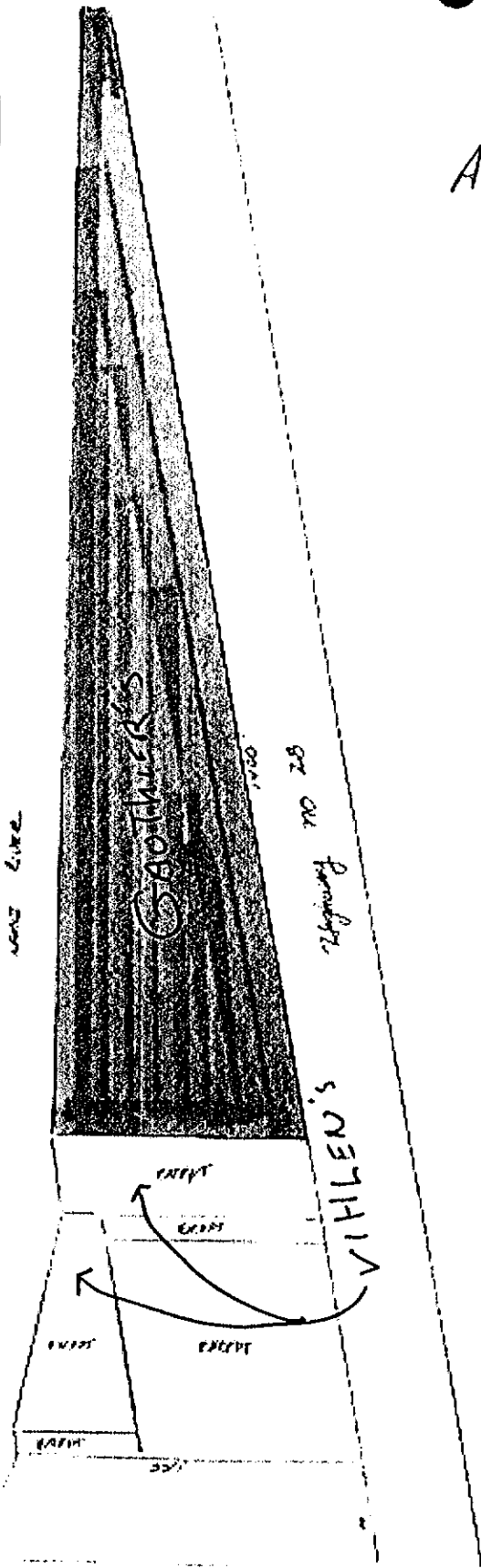
Re: A74-00869 SPLIT

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WE RECEIVED TWO CHANGES OF OWNERSHIP FOR A74-00869 AND IT WAS MISTAKENLY PUT INTO BOTH GAUTHIER'S AND VIHLEN'S NAME. ONCE WE REALIZED THE ERROR WE SPLIT THE RIGHT GIVING "A" TO GAUTHIER AND "B" TO VIHLEN.

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State of Idaho  
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

September 17, 1997

TO: ROBERT & MONIQUE CAFFERO  
PO BOX 54  
TENDON ID 83468

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

— COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER LEGAL DOCUMENT indicating your ownership of the property and water rights in question,

— LEGAL DESCRIPTION OF PROPERTY

☒ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

— USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE PACKET TO THIS OFFICE AND WE WILL PROCESS YOUR CHANGE OF OWNERSHIP AS SOON AS POSSIBLE.

Our office received two "Notices of Change of Water Right Ownership", both of which conveyed the same water right to two different parties (Caffero-Gauthier; Caffero-Vihlen, water right A74-00869). Our records indicate the .698 acres conveyed to Vihlen is not appurtenant to right A74-00869.

Please submit a map showing which parcels from Attachment A were conveyed to Gauthier and which, if any, were conveyed to Vihlen. Our office cannot process these documents until this issue is resolved.

Please contact Senior Water Agent Allen Ruberry if you have questions.

Sincerely,

Jennifer Hoagland  
Technical Records Specialist

cc: Eric & Anna Vihlen



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

August 19, 1997

JAMES L & DARLENE GAUTHIER  
PO BOX 8  
TENDON ID 83468

RE: CHANGE IN OWNERSHIP FOR A74-00869, A74-00870

Dear Mr. & Mrs. Gauthier:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland  
Technical Records Specialist

Enclosure: Notice of Claim

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

RECEIVED

JUL 31 1997

Department of Water Resources  
Eastern Region

1. Water Right Number(s) \_\_\_\_\_  
Adjudication Claim Number(s) A74-00869 A74-00870
2. The following **REQUIRED** information must be submitted with this form.
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) CAFFERO, Robert + Monique  
PO Box 54 Tenny ID 83468
4. New Owner/Claimant(s) JAMES L. DARLENE GAUTHIER  
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR  
New Mailing Address PO Box 8  
City, State and ZIP Code Tenny ID 83468  
New Telephone Number (208) 756-4618
5. Date you acquired the property 7-17-97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) James L. Gauthier Date 7-25-97  
Date \_\_\_\_\_
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

# Warranty Deed

For Value Received

ROBERT W. CAFFERO AND MONIQUE N. CAFFERO, HUSBAND AND WIFE

the grantor S, do hereby grant, bargain, sell and convey unto

JAMES L. GAUTHIER AND DARLENE GAUTHIER

whose current address is

P.O. Box 8  
Tendoy, ID 83468

the grantee S, the following described premises, in Lemhi County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, their heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantee S, that they're the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: July 17, 1997

Robert W. Caffero Monique N. Caffero  
Robert W. Caffero Monique N. Caffero

STATE OF IDAHO, COUNTY OF Lemhi  
On this 17th day of July, 1997  
before me, a notary public in and for said State, personally appeared

Robert W. Caffero &  
Monique N. Caffero

known to me to be the persons whose name  
subscribed to the within instrument, and acknowledged to me that  
executed the same.

Christine M. Santee  
Notary Public

Residing at Salmon, Idaho  
Comm. Expires 6-19-2001

State of Idaho ) SS No. 233788  
County of Lemhi )  
This instrument was filed for record at the request  
of Alliance Title  
at 10:25 o'clock A.M. 7-17 1997  
and duly filed and indexed in the records of Lemhi  
County

Alberta Wederrick  
Ex-Officio Recorder  
By Terri J. Peterson Deputy  
Fee 900  
Return to \_\_\_\_\_

RECEIVED

JUL 31 1997

Department of Water Resources  
Eastern Region

EXHIBIT "A"

A FRACTION OF THE E1/2SW1/4 OF SECTION 29, T. 19 N., R. 24 E.,  
BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF  
SECTION 29, AND THE WESTERLY RIGHT-OF-WAY LINE OF IDAHO STATE  
HIGHWAY NO. 28, RUN THENCE N. 10 DEGREES 48' 30" W. ALONG SAID  
RIGHT-OF-WAY LINE 99.0 FEET TO THE POINT OF BEGINNING; THENCE  
CONTINUING N. 10 DEGREES 48' 30" W. ALONG SAID RIGHT-OF-WAY  
LINE 1400.0 FEET; THENCE WEST 27.0 FEET TO A POINT ON THE  
EASTERLY BANK OF THE LEMHI RIVER; THENCE MEANDERING THE  
EASTERLY BANK OF THE LEMHI RIVER IN A SOUTHERLY DIRECTION  
1420.0 FEET, MORE OR LESS, TO A POINT WHICH LIES WEST FROM THE  
POINT OF BEGINNING; THENCE EAST 330.0 FEET TO THE POINT OF  
BEGINNING...

EXCEPTING THEREFROM, THE FOLLOWING FIVE PARCELS:

PARCEL I:

A FRACTION OF THE SE1/4SW1/4 OF SECTION 29, TOWNSHIP 19 NORTH,  
RANGE 24 EAST. BOISE MERIDIAN MORE PARTICULARLY DESCRIBED AS  
FOLLOWS, TO-WIT:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF  
SAID SECTION 29 AND THE WESTERLY RIGHT-OF-WAY LINE OF IDAHO  
STATE HIGHWAY NO. 28, RUN THENCE NORTH 10 DEGREES 48' 30" WEST  
ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 99.0 FEET TO THE  
POINT OF BEGINNING AND THE SOUTHEASTERLY CORNER OF THE TRACT  
OF LAND HEREIN DESCRIBED; CONTINUING THENCE NORTH 10 DEGREES  
48' 30" WEST ALONG SAID RIGHT-OF-WAY LINE 210.0 FEET; THENCE  
WEST 210.0 FEET, SOUTH 10 DEGREES 48' 30" EAST, 210.0 FEET;  
THENCE EAST 210.0 FEET TO THE POINT OF BEGINNING...

PARCEL II:

A FRACTION OF THE E1/2SW1/4 OF SECTION 29, T. 19 N., R. 24 E.,  
BOISE MERIDIAN, IN LEMHI COUNTY, IDAHO, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF  
SECTION 29, AND THE WESTERLY RIGHT-OF-WAY LINE OF IDAHO STATE  
HIGHWAY NO. 28, RUN THENCE NORTH 10 DEGREES 50' 25" WEST,  
ALONG SAID RIGHT-OF-WAY LINE 99.0 FEET, THENCE WEST ON A  
BEARING PARALLEL TO THE SOUTHERN BOUNDARY OF SAID SECTION 29,  
210.00 FEET. TO THE POINT OF BEGINNING OF THIS DESCRIPTION,  
THENCE NORTH 10 DEGREES 50' 25" WEST 23.5 FEET, THENCE WEST  
PARALLEL TO THE ABOVE DESCRIBED SOUTHERN BOUNDARY 120 FEET  
MORE OR LESS TO THE MEANDER LINE OF THE LEMHI RIVER, THENCE  
SOUTH 10 DEGREES 50' 25" EAST 23.5 FEET, THENCE EAST 120 FEET  
MORE OR LESS TO THE POINT OF BEGINNING.

RECEIVED

JUL 31 1997

Department of Water Resources  
Eastern Region

PARCEL III:

A FRACTION OF THE E1/2SW1/4 OF SECTION 29, T. 19 N., R. 24 E., BOISE MERIDIAN, IN LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF SECTION 29, AND THE WESTERLY RIGHT-OF-WAY LINE OF IDAHO STATE HIGHWAY NO. 28, RUN THENCE NORTH 10 DEGREES 50' 25" WEST, ALONG SAID RIGHT-OF-WAY LINE 309.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE CONTINUING NORTH 10 DEGREES 50' 25" WEST 23.5 FEET, THENCE WEST PARALLEL TO THE SOUTHERN BOUNDARY OF SAID SECTION 29, 210.00 FEET. THENCE SOUTH 10 DEGREES 50' 25" EAST 23.5 FEET, THENCE EAST 210.00 FEET TO THE POINT OF BEGINNING.

PARCEL IV:

A FRACTION OF THE SE1/4SW1/4 OF SECTION 29, T. 19 N., R. 24 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF SAID SECTION 29 AND THE WESTERLY RIGHT-OF-WAY OF IDAHO STATE HIGHWAY 28, RUN THENCE N. 10 DEGREES 50' 25" W. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 332.50 FT.; THENCE S. 89 DEGREES 54' 30" W. A DISTANCE OF 210.00 FT. TO THE POINT OF BEGINNING; THENCE S. 10 DEGREES 50' 25" E. A DISTANCE OF 210.00 FT.; THENCE S. 89 DEGREES 54' 30" W. A DISTANCE OF 120.00 FT. TO A POINT ON THE EASTERLY BANK OF THE LEMHI RIVER; THENCE N. 12 DEGREES 26' 01" E. ALONG SAID BANK, A DISTANCE OF 211.35 FT.; THENCE N. 89 DEGREES 54' 30" E. A DISTANCE OF 35.00 FT. TO THE POINT OF BEGINNING.

PARCEL V:

A FRACTION OF THE SE1/4SW1/4 OF SECTION 29, TOWNSHIP 19 NORTH RANGE 24 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF SAID SECTION 29 AND THE WESTERLY RIGHT-OF-WAY OF IDAHO STATE HIGHWAY NO. 28, RUN THENCE NORTH 10 DEGREES 50' 25" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE 332.5 FEET TO THE POINT OF BEGINNING AND THE SOUTHERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED; CONTINUING THENCE NORTH 10 DEGREES 50' 25" WEST ALONG SAID RIGHT-OF-WAY LINE 60 FEET; THENCE WEST PARALLEL TO THE SOUTHERN BOUNDARY OF SAID SECTION 29, MORE OR LESS 245 FEET TO THE BANK OF THE RIVER; THENCE SOUTH 10 DEGREES 50' 25" EAST 60 FEET FOLLOWING THE BANK OF THE LEMHI RIVER; THENCE EAST PARALLEL TO THE SOUTHERLY BOUNDARY OF SAID SECTION 29, 245.00 FEET MORE OR LESS FROM THE EDGE OF THE LEMHI RIVER BANK TO THE POINT OF BEGINNING.

RECEIVED

JUL 24 1907

Department of Water Resources  
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 25, 1997

ERIC & ANNA VIHLEN  
PO BOX 107  
TENDON ID 83468

RE: Notice of Change of Water Right Ownership for A74-00869

Dear Mr. & Mrs. Vihlen:

I am returning the "Change of Water Right Ownership" form because our office needs more information to make the necessary ownership changes.

Please submit a map and/or a USDA Farm Service Agency (formerly ASCS) aerial photo with the .698 acres clearly marked.

Please return the entire package to us and we will update the change of ownership as soon as possible.

Sincerely,

Jennifer Hoagland  
Technical Records Specialist

Enclosure

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: A74-00869A  
Date Received: 4/17/1990  
Receipt No: X777777  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: ROBERT CAFFERO  
Address: PO BOX 54  
TENDROY ID  
AND/OR  
Name: MONIQUE CAFFERO  
Address: PO BOX 54  
TENDROY ID

83468

208-756-3554

208-756-3554

83468

2. Date of Priority: APR 1, 1946

3. Source: WASTEWATER

Trib. to: LEMHI RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 19N      | 24E   | 29      | SE     | SW     |     |     | LEMHI  |

5. Description of diverting works:  
HEADGATE/ DITCHES TO FLOOD IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.058 |      |        |

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

A.F.A.

8. Total consumptive use is

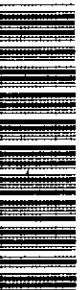
Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 19N      | 24E   | 29      | SE     | SW  |     | IRR | 3.3   |

A7400869A



10. Place of Use: Continued

Section Acres        3.3

Total Acres        3.3

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR.=3.5.

\*\*\*

CHANGE OF OWNERSHIP, 7/97.

RECEIPTED UNDER X999999.

15. Basis of Claim: DECREED

Case Number:

Court        :

Decree date:    /    /

---

Decree Plaintiff

vs

---

Decree Defendant

AJ0749NP  
No. A74-00869A

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 10/22/97  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS   | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | JAMES L GAUTHIER | 04/01/1946       | IRRIGATION | 03-15 11-15           | 0.05 CFS          |                     |
| C             | DARLENE GAUTHIER |                  |            |                       |                   |                     |
|               | PO BOX 8         |                  |            | TOTAL DIVERSION:      | 0.05 CFS          |                     |
|               | TENDRY ID 83468  |                  |            |                       |                   |                     |
|               | (208) 756-4618   |                  |            |                       |                   |                     |

Water Source: WASTEWATER

Tributary to: LEMHI RIVER

Stage: DECREED

Point(s) of Diversion: T19N R24E S29 SESW

LEMHI County

Place of use Legal Description for: IRRIGATION

|     |        | NE   |      |      |      | NW     |      |      |      | SW     |      |      |      | SE     |      |      |               |       |
|-----|--------|------|------|------|------|--------|------|------|------|--------|------|------|------|--------|------|------|---------------|-------|
|     |        | NENE | NWNE | SWNE | SENE | : NENW | NWNW | SWNW | SENW | : NESW | NWSW | SWSW | SESW | : NESE | NWSE | SWSE | SESE          | : SUM |
| T   | R S    | : Lt | Ac   | Lt   | Ac   | : Lt   | Ac   | Lt   | Ac   | : Lt   | Ac   | Lt   | Ac   | : Lt   | Ac   | Lt   | Ac            | : --- |
| 19N | 24E 29 | :    |      |      |      | :      |      |      |      | :      |      |      |      | :      |      |      |               | : 3.3 |
|     |        |      |      |      |      |        |      |      |      |        |      |      |      |        |      |      | : 03          |       |
|     |        |      |      |      |      |        |      |      |      |        |      |      |      |        |      |      | : TOTAL ACRES |       |
|     |        |      |      |      |      |        |      |      |      |        |      |      |      |        |      |      | : 3.3         |       |

POU County: LEMHI

Remarks: GEN AC. IRR.=3.5.

\*\*\*

CHANGE OF OWNERSHIP, 7/97.

RECEIPTED UNDER X999999.

CHANGED OWNERSHIP PER REQUEST/JH/10-22-97

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

October 22, 1997

JAMES & DARLENE GAUTHIER  
PO BOX 8  
TENDON ID 83468

RE: CHANGE IN OWNERSHIP FOR A74-00869

Dear Mr. and Mrs. Gauthier:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A74-00869A, 0.058 cfs on 3.3 acres, Gauthier  
A74-00869B, 0.012 cfs on 0.7 acres, Vihlen

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland  
Technical Records Specialist

Enclosure

70 SALE

DC - DELDG -

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

RECEIVED

JUL 31 1997

Department of Water Resources  
Eastern Region

1. Water Right Number(s) \_\_\_\_\_  
Adjudication Claim Number(s) A74-00869A A74-00870
2. The following **REQUIRED** information must be submitted with this form.
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) CAFFERO, Robert + Monique  
PO Box 54 Tendency ID 83468
4. New Owner/Claimant(s) JAMES L. DARLENE GAUTHIER  
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR  
New Mailing Address PO Box 8  
City, State and ZIP Code Tendency ID 83468  
New Telephone Number (208) 756-4618
5. Date you acquired the property 7-17-97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) James L. Gauthier Date 7-25-97  
Date \_\_\_\_\_
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

# Warranty Deed

For Value Received

ROBERT W. CAFFERO AND MONIQUE N. CAFFERO, HUSBAND AND WIFE

the grantor S, do hereby grant, bargain, sell and convey unto

JAMES L. GAUTHIER AND DARLENE GAUTHIER

whose current address is

P.O. Box 8  
Tendoy, ID 83468

the grantee S, the following described premises, in Lemhi County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, their heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantee S, that they're the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: July 17, 1997

Robert W. Caffero  
Robert W. Caffero

Monique N. Caffero  
Monique N. Caffero

STATE OF IDAHO, COUNTY OF Lemhi  
On this 17th day of July, 1997  
before me, a notary public in and for said State, personally appeared

Robert W. Caffero &  
Monique N. Caffero  
known to be the persons whose name  
subscribed to the within instrument, and acknowledged to me that  
executed the same.

Sharon M. Santee  
Notary Public  
Residing at Salmon, Idaho  
Comm. Expires 6-19-2001

State of Idaho ) SS No. 233788  
County of Lemhi )

This instrument was filed for record at the request  
of Albion J. Selt  
at 10:25 o'clock A.M. 7-17-97  
and duly filed and indexed in the records of Lemhi  
County

Albert Wiedernick  
Ex-Officio Recorder  
By Leri J. Selt Deputy  
Fee 9.00  
Return to \_\_\_\_\_

RECEIVED

JUL 31 1997

Department of Water Resources  
Eastern Region

EXHIBIT "A"

A FRACTION OF THE E1/2SW1/4 OF SECTION 29, T. 19 N., R. 24 E.,  
BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF  
SECTION 29, AND THE WESTERLY RIGHT-OF-WAY LINE OF IDAHO STATE  
HIGHWAY NO. 28, RUN THENCE N. 10 DEGREES 48' 30" W. ALONG SAID  
RIGHT-OF-WAY LINE 99.0 FEET TO THE POINT OF BEGINNING; THENCE  
CONTINUING N. 10 DEGREES 48' 30" W. ALONG SAID RIGHT-OF-WAY  
LINE 1400.0 FEET; THENCE WEST 27.0 FEET TO A POINT ON THE  
EASTERLY BANK OF THE LEMHI RIVER; THENCE MEANDERING THE  
EASTERLY BANK OF THE LEMHI RIVER IN A SOUTHERLY DIRECTION  
1420.0 FEET, MORE OR LESS, TO A POINT WHICH LIES WEST FROM THE  
POINT OF BEGINNING; THENCE EAST 330.0 FEET TO THE POINT OF  
BEGINNING...

EXCEPTING THEREFROM, THE FOLLOWING FIVE PARCELS:

PARCEL I:

A FRACTION OF THE SE1/4SW1/4 OF SECTION 29, TOWNSHIP 19 NORTH,  
RANGE 24 EAST, BOISE MERIDIAN MORE PARTICULARLY DESCRIBED AS  
FOLLOWS, TO-WIT:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF  
SAID SECTION 29 AND THE WESTERLY RIGHT-OF-WAY LINE OF IDAHO  
STATE HIGHWAY NO. 28, RUN THENCE NORTH 10 DEGREES 48' 30" WEST  
ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 99.0 FEET TO THE  
POINT OF BEGINNING AND THE SOUTHEASTERLY CORNER OF THE TRACT  
OF LAND HEREIN DESCRIBED; CONTINUING THENCE NORTH 10 DEGREES  
48' 30" WEST ALONG SAID RIGHT-OF-WAY LINE 210.0 FEET; THENCE  
WEST 210.0 FEET, SOUTH 10 DEGREES 48' 30" EAST, 210.0 FEET;  
THENCE EAST 210.0 FEET TO THE POINT OF BEGINNING...

PARCEL II:

A FRACTION OF THE E1/2SW1/4 OF SECTION 29, T. 19 N., R. 24 E.,  
BOISE MERIDIAN, IN LEMHI COUNTY, IDAHO, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF  
SECTION 29, AND THE WESTERLY RIGHT-OF-WAY LINE OF IDAHO STATE  
HIGHWAY NO. 28, RUN THENCE NORTH 10 DEGREES 50' 25" WEST,  
ALONG SAID RIGHT-OF-WAY LINE 99.0 FEET, THENCE WEST ON A  
BEARING PARALLEL TO THE SOUTHERN BOUNDARY OF SAID SECTION 29,  
210.00 FEET. TO THE POINT OF BEGINNING OF THIS DESCRIPTION,  
THENCE NORTH 10 DEGREES 50' 25" WEST 23.5 FEET, THENCE WEST  
PARALLEL TO THE ABOVE DESCRIBED SOUTHERN BOUNDARY 120 FEET  
MORE OR LESS TO THE MEANDER LINE OF THE LEMHI RIVER, THENCE  
SOUTH 10 DEGREES 50' 25" EAST 23.5 FEET, THENCE EAST 120 FEET  
MORE OR LESS TO THE POINT OF BEGINNING.

RECEIVED

JUL 21 1997

Department of Water Resources  
Eastern Region

PARCEL III:

A FRACTION OF THE E1/2SW1/4 OF SECTION 29, T. 19 N., R. 24 E., BOISE MERIDIAN, IN LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF SECTION 29, AND THE WESTERLY RIGHT-OF-WAY LINE OF IDAHO STATE HIGHWAY NO. 28, RUN THENCE NORTH 10 DEGREES 50' 25" WEST, ALONG SAID RIGHT-OF-WAY LINE 309.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE CONTINUING NORTH 10 DEGREES 50' 25" WEST 23.5 FEET, THENCE WEST PARALLEL TO THE SOUTHERN BOUNDARY OF SAID SECTION 29, 210.00 FEET. THENCE SOUTH 10 DEGREES 50' 25" EAST 23.5 FEET, THENCE EAST 210.00 FEET TO THE POINT OF BEGINNING.

PARCEL IV:

A FRACTION OF THE SE1/4SW1/4 OF SECTION 29, T. 19 N., R. 24 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF SAID SECTION 29 AND THE WESTERLY RIGHT-OF-WAY OF IDAHO STATE HIGHWAY 28, RUN THENCE N. 10 DEGREES 50' 25" W. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 332.50 FT.; THENCE S. 89 DEGREES 54' 30" W. A DISTANCE OF 210.00 FT. TO THE POINT OF BEGINNING; THENCE S. 10 DEGREES 50' 25" E. A DISTANCE OF 210.00 FT.; THENCE S. 89 DEGREES 54' 30" W. A DISTANCE OF 120.00 FT. TO A POINT ON THE EASTERLY BANK OF THE LEMHI RIVER; THENCE N. 12 DEGREES 26' 01" E. ALONG SAID BANK, A DISTANCE OF 211.35 FT.; THENCE N. 89 DEGREES 54' 30" E. A DISTANCE OF 35.00 FT. TO THE POINT OF BEGINNING.

PARCEL V:

A FRACTION OF THE SE1/4SW1/4 OF SECTION 29, TOWNSHIP 19 NORTH RANGE 24 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

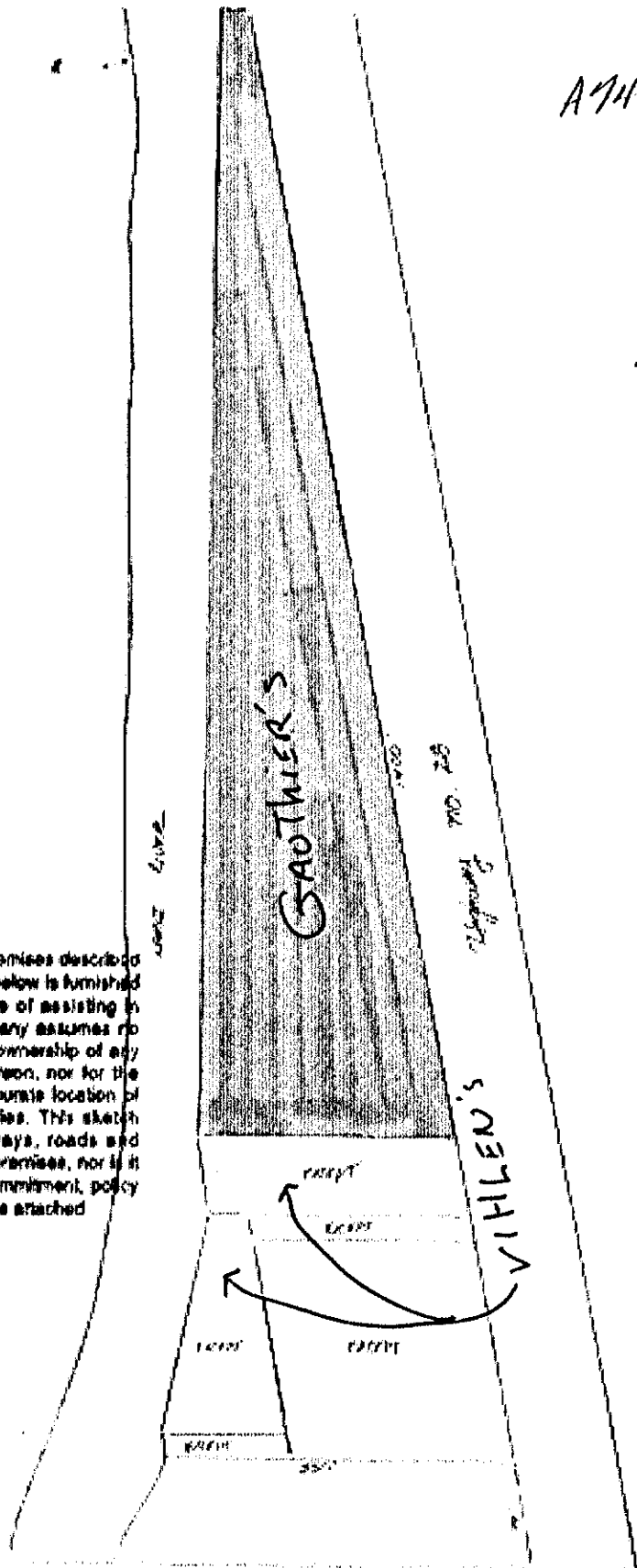
COMMENCING AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF SAID SECTION 29 AND THE WESTERLY RIGHT-OF-WAY OF IDAHO STATE HIGHWAY NO. 28, RUN THENCE NORTH 10 DEGREES 50' 25" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE 332.5 FEET TO THE POINT OF BEGINNING AND THE SOUTHERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED; CONTINUING THENCE NORTH 10 DEGREES 50' 25" WEST ALONG SAID RIGHT-OF-WAY LINE 60 FEET; THENCE WEST PARALLEL TO THE SOUTHERN BOUNDARY OF SAID SECTION 29, MORE OR LESS 245 FEET TO THE BANK OF THE RIVER; THENCE SOUTH 10 DEGREES 50' 25" EAST 60 FEET FOLLOWING THE BANK OF THE LEMHI RIVER; THENCE EAST PARALLEL TO THE SOUTHERLY BOUNDARY OF SAID SECTION 29, 245.00 FEET MORE OR LESS FROM THE EDGE OF THE LEMHI RIVER BANK TO THE POINT OF BEGINNING.

RECEIVED

JUL 24 1907

Department of Water Resources  
Eastern Region

A74-00869A



The Company has not surveyed the premises described in 673222. The sketch below is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability as to the validity, location, or ownership of any easement or other matter shown thereon, nor for the inaccuracies therein, including the accurate location of boundaries, including water boundaries. This sketch does not purport to show all highways, roads and easements adjoining or affecting said premises, nor is it a part or modification of the report, commitment, policy or other title evidence to which it may be attached.

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: A74-00869B  
Date Received: 4/17/1990  
Receipt No: X777777  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: ERIC W VIHLEN 208-756-4082  
Address: PO BOX 107  
TENDROY ID 83468  
AND/OR  
Name: ANNA M VIHLEN 208-756-4082  
Address: PO BOX 107  
TENDROY ID 83468

2. Date of Priority: APR 1, 1946

3. Source: WASTEWATER Trib. to: LEMHI RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 19N      | 24E   | 29      | SE     | SW     |     |     | LEMHI  |

5. Description of diverting works:  
HEADGATE/ DITCHES TO FLOOD IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.012 |      |        |

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

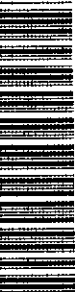
8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 19N      | 24E   | 29      | SE     | SW  |     | IRR | 0.7   |

A7400869B



10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 0.7   |
|          |       |         |            |     | Total Acres   | 0.7   |

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR.=3.5.  
SPLIT BY CHANGE OF OWNERSHIP, 7/97\*  
RECEIPTED UNDER X999999.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

---

Decree Plaintiff

vs

---

Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

October 22, 1997

ERIC & ANNA VIHLEN  
PO BOX 107  
TENDON ID 83468

RE: CHANGE IN OWNERSHIP FOR A74-00869B

Dear Mr. and Mrs. Gauthier:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A74-00869A, 0.058 cfs on 3.3 acres, Caffero  
A74-00869B, 0.012 cfs on 0.7 acres, Vihlen

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland  
Technical Records Specialist

Enclosure



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVED

EXHIBIT A OCT 92

Please print or type

EXHIBIT B OCT 94

(see instructions on back of page)

1st Sale

JUL 14 1997

Department of Water Resources  
Eastern Region

DATE OF CLOSING: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY: Township 19N Range 24E  
 Section 29, A FRACTION 1/4 of SE 1/4 of SW 1/4 Govt. Lot \_\_\_\_\_, BM.  
 Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.  
 If you have additional legal descriptions, please attach separate sheet.

RECEIVED

SEP 15 1997

Department of Water Resources  
Eastern Region

- ☐ 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: A74-00869
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):  
CAFFERO, ROBERT & MONIQUE  
PO BOX 54  
TENDON, ID 83468
- ☐ New Owner/Claimant (Purchaser):  
ERIC W. & ANNA M. VIHLEN
- ☐ New Mailing Address:  
P.O. Box 107  
TENDON, ID 83468
- ☐ New Telephone Number: (208) 754-4082
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no  
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:  
WATER RIGHTS FOR .698 ACRES

- ☐ Attach proof of ownership, describe proof attached: \_\_\_\_\_

(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): Eric W. Vihlen Date 1 JUL '97  
Anna M. Vihlen Date 1 JUL '97
- ☐ Signature of Former Owner/Claimant(s): Robert Caffero Date 1 JUL '97  
Monique Caffero Date 1 JUL '97

(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: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

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

EXHIBIT "A"

A fraction of the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 29, T. 19 N., R. 24 E., Boise Meridian, in Lemhi County, Idaho, more particularly described as follows, to-wit:

Commencing at the intersection of the South boundary of Section 29, and the Westerly right-of-way line of Idaho State Highway No. 28, run thence N. 10° 48' 30" W., along said right-of-way line 99.0 feet to the POINT OF BEGINNING; thence continuing N. 10° 48' 30" W., along said right-of-way line 1400.0 feet; thence West 27.0 feet to a point on the Easterly bank of the Lemhi River; thence meandering the Easterly bank of the Lemhi River in a Southerly direction 1420.0 feet, more or less, to a point which lies West from the point of beginning; thence East 330.0 feet to the POINT OF BEGINNING . . .

EXCEPTING THEREFROM:

A fraction of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 29, Township 19 North, Range 24 East, Boise Meridian, more particularly described as follows, to-wit:

*Parcel 1-* Commencing at the intersection of the Southerly boundary of said Section 29 and the Westerly right-of-way line of Idaho State Highway No. 28, run thence North 10° 48' 30" West along said right-of-way line a distance of 99.0 feet to the POINT OF BEGINNING and the Southeasterly corner of the tract of land herein described; continuing thence North 10° 48' 30" West along said right-of-way line 210.0 feet; thence West 210.0 feet, South 10° 48' 30" East, 210.0 feet; thence East 210.0 feet to THE POINT OF BEGINNING. . .

ALSO EXCEPTING:

A fraction of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 29, T. 19 N., R. 24 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the intersection of the Southerly boundary of said Section 29 and the Westerly right-of-way of Idaho State Highway 28, run thence N. 10° 50' 25" W. along said right-of-way a distance of 332.50 feet; thence S. 89° 54' 30" W. a distance of 210.00 feet to the POINT OF BEGINNING.

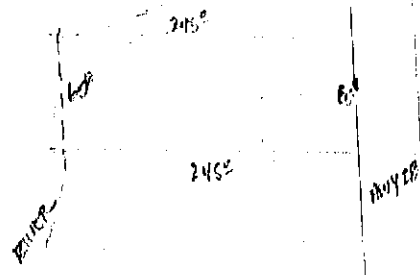
Thence S. 10° 50' 25" E a distance of 210.00 feet;  
Thence S. 89° 54' 30" W. a distance of 120.00 feet to a point on the easterly bank of the Lemhi River;  
Thence N. 12° 26' 01" E. along said bank a distance of 211.35 feet;  
Thence N. 89° 54' 30" E. a distance of 35.00 feet to the POINT OF BEGINNING.

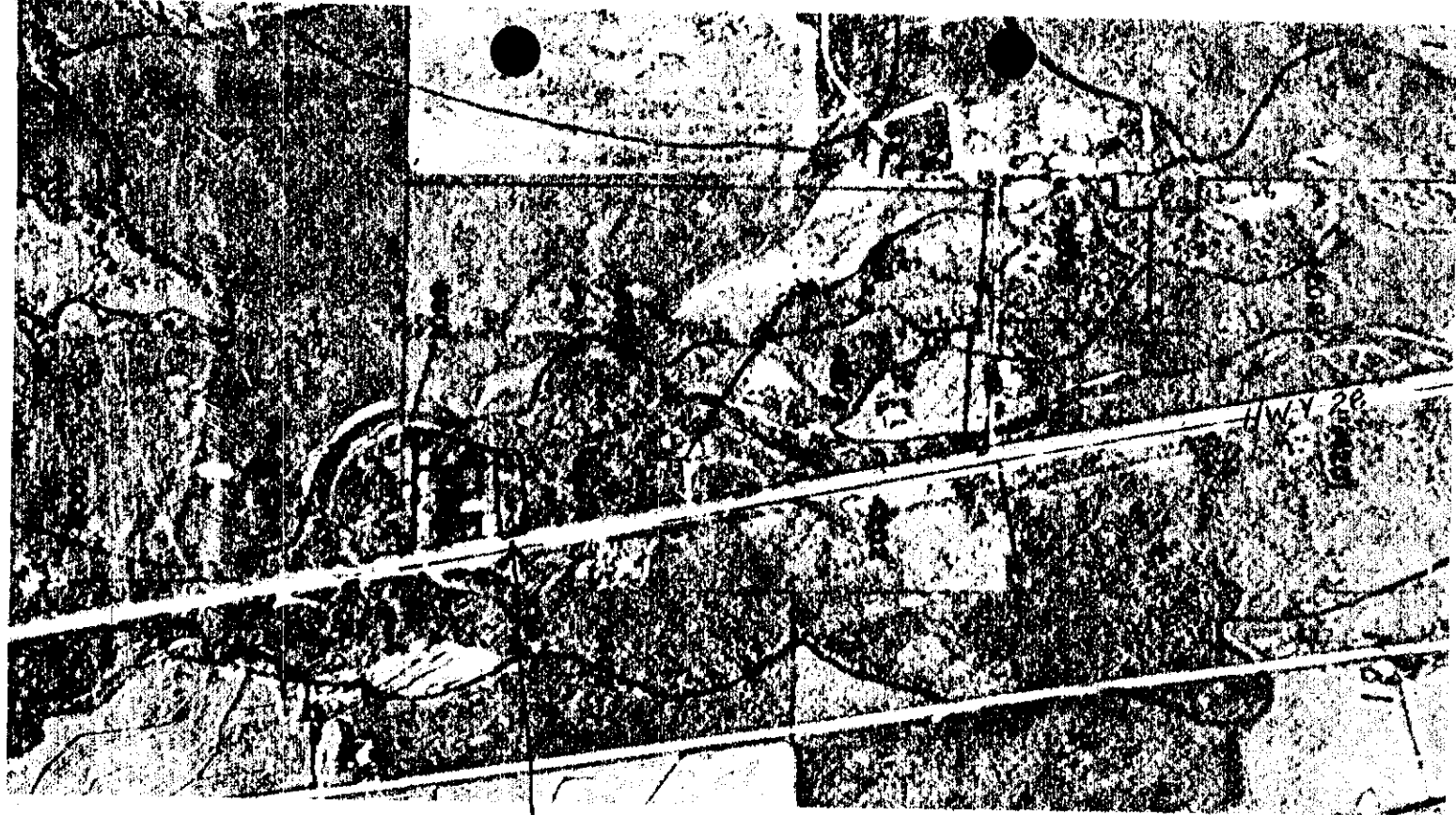
155.29

## EXHIBIT B

A Fraction of the SE1/4SW1/4 of Section 29, Township 19 North Range 24 East, Boise Meridian, more particularly described as follows, to wit:

Commencing at the intersection of the Southernly boundary of said Section 29 and the Westernly right-of-way of Idaho State Highway No. 28, Run thence North 10 Degrees 50'25" West along said right-of-way line a distance of 332.5 feet to the point of beginning and the Southeasternly corner of the tract of land herein described; Continuing thence North 10 Degrees 50'25" West along said right-of-way line 60 feet; Thence West parallel to the Southern boundary of said Section 29, more or less 245.00 feet to the bank of the river; Thence South 100 Degrees 50'25" East 60 feet following the bank of the river; Thence East parallel to the Southernly boundary of said Section 29, 245.00 feet more or less from the edge of the river bank to the point of beginning.





• 698 ACRES



T.19N., R.24E.  
S6SW (part)

Re. OQS-29

A74-00869B



The Company has not surveyed the premises described in 67-7535-12. The sketch below is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability as to the validity, location, or ownership of any easement or other matter shown thereon, nor for the inaccuracies therein, including the accurate location of boundaries, including water boundaries. This sketch does not purport to show all highways, roads and easements adjoining or affecting said premises, nor is it a part or modification of the report, commitment, policy or other title evidence to which it may be attached.

