

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: A74-01782
Date Received: 5/10/1990
Receipt No: X999999
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEANNE R. MCMILLON 619-660-6757
Address: P.O. BOX 305
SPRING VALLEY, CA 92077

2. Date of Priority: APR 01, 1909

3. Source: LEMHI RIVER Trib. to: SALMON 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:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.680		

7. Total Quantity Appropriated is:
0.680 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	NW		IRR	12.0
			NE	SW		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	23.0
					Total Acres	23.0

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:

14. Remarks:

AC. IRR.=22.4.
DIV. L-31B.

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 _____ 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: _____

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
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CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

A74-01782

5/10/90

X999999

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A7401782

Please type or print clearly

1. Name of Claimant (s) Jeanne R. McMillon Phone (619) 660-6751

Mailing Address P.O. Box 305, Spring Valley, California Zip 92077

2. Date of Priority (Only one (1) per claim) 4-1-09

3. Source of water supply (a) Lemhi River

which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 19N Range 24E Section 29

1/4 of SW 1/4 of 1/4, Govt. Lot, SW B.M., County of Lemhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4.

Govt. Lot _____ B.M. County of _____

ending point is: Township _____ Range _____ Section _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc).
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Headgate

MICROFILMED

DEC 14 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar 15 to Nov 15 amount 0.68 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.68 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	24E	29								12	11								23

Total number of acres irrigated 2311. In which county (ies) are lands listed above as place of use located? Tempi

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

MICROFILMED

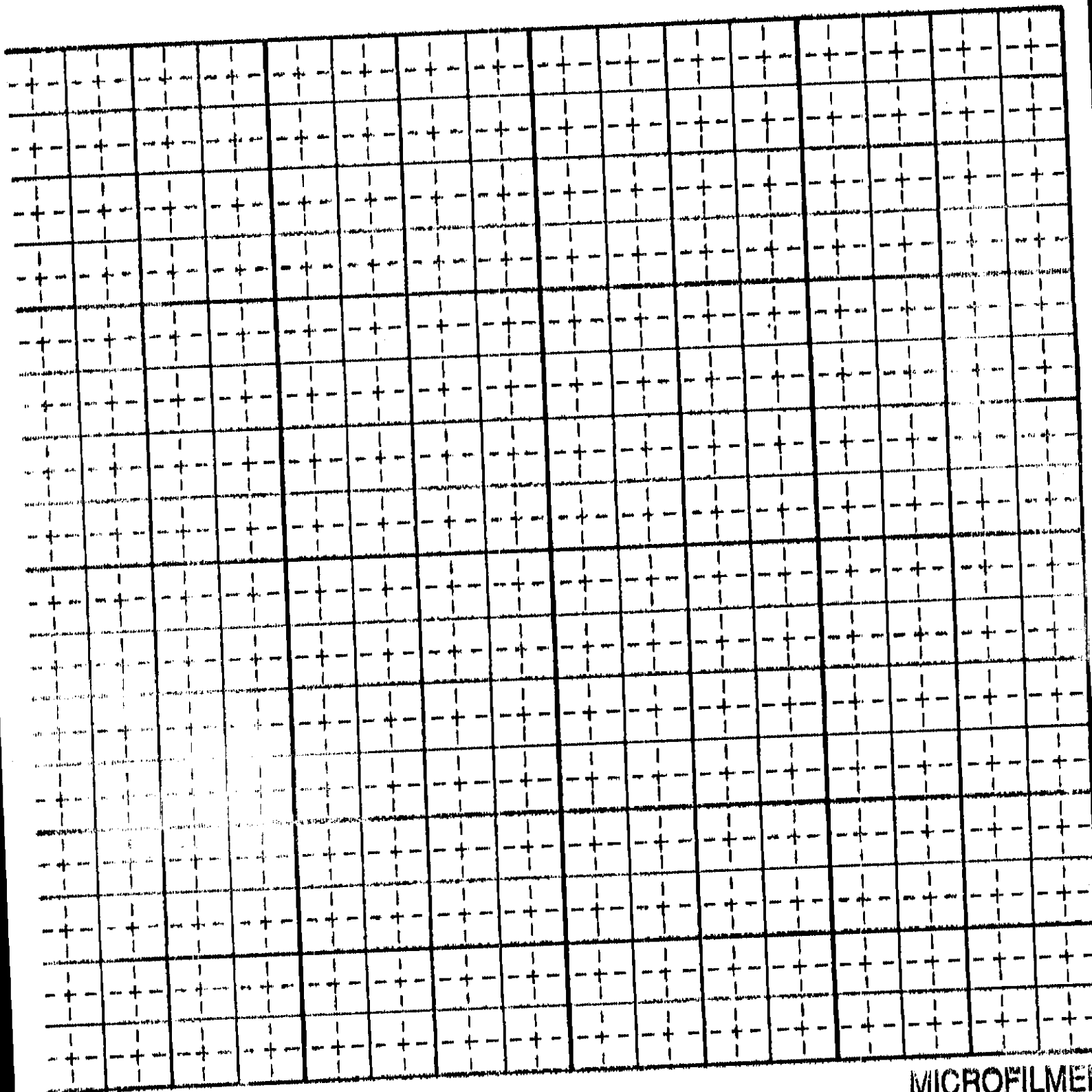
DEC 14 1992

Last Name McMillon Ident No. _____

Copies: White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

DEC 14 1992

Last Name McMillon Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use XX Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jeanne R. McMillon Date 5/10/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

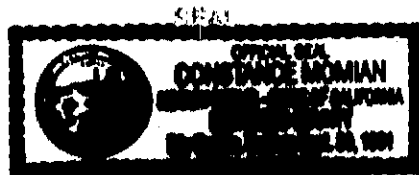
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of ~~Idaho~~ California)
 County of San Diego) SS.

Subscribed and sworn (or affirmed) before me this 10th day of May 19 90



Notary Public Constance Momian

Residing at 9628 Campo Road, Suite "O", Spring Valley, CA

My Commission Expires Sept. 30, 1991

Please Print Name

Constance Momian

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name McMillon Ident. Number _____

Copies White-State, Yellow-Claimant

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IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number: ^{#15} X74-01782
Date Received:
Receipt No:
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALSTON W. ADAMS
Address: P.O. BOX 52
TENDON, ID

83468

Name: RACHEL ADAMS
Address: P.O. BOX 52
TENDON, ID

83468

2. Date of Priority: APR 01, 1909

3. Source: LEMHI RIVER

Trib. to: SALMON RIVER

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.680		

Adjust amount per instructions

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses: *Needs amount - See instructions*

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	24E	29	SE	NW		IRR	12.0
			NE	SW		IRR	11.0
Section Acres							23.0
Total Acres							23.0

(This is a small holding)

adjust per 5 year ownership

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.=22.4.
DIV. L-31B.

adjust - note split date

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) ss.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____



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

April 2, 1998

WARD WITTE, JOLENE STODDARD,
LEE WITTE, MARGARET WITTE
PO BOX 903
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A74-01782, A74-10225

Dear Mr. Witte, Ms. Stoddard, Mr. Witte, and Mrs. Witte:

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(s).

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(s) of Claim

DELOG-DC 3/18/98

De 3/97

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

RECEIVED

MAR 11 1998

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

- R74-10225
A74-10225
1. Water Right Number(s) A 74-01782
Adjudication Claim Number(s) AJ 5809NP A 74-01782
 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) JEANNE McMillon
PO BOX 305 Spring Valley, CA 91976
ward W.M. Witte and Jolene Stoddard, Husband and Wife
and LEE H. WITTE AND MARGARET ANN WITTE, Husband and Wife
 4. New Owner/Claimant(s) PO BOX 903
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR
New Mailing Address PO BOX 903
City, State and ZIP Code Salmon, Idaho 83467
New Telephone Number (208) 756-8780
 5. Date you acquired the property 7/31/97
 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 _____
public 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) Jolene Stoddard Date 3-6-98
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.

6-7543-G

Warranty Deed

For Value Received

JEANNE ROSLYN MCMILLON, TRUSTEE OF THE JEANNE ROSLYN MCMILLON TRUST
DATED OCTOBER 17, 1989

the grantor, do hereby grant, bargain, sell and convey unto
WARD WM. WITTE AND JOLENE STODDARD, HUSBAND AND WIFE, AND
LEE M. WITTE AND MARGARET ANN WITTE, HUSBAND AND WIFE

whose current address is

P.O. Box 903
Salmon, ID 83467

the grantor, 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 she is the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: 7/31/97

JEANNE ROSLYN MCMILLON, TRUSTEE OF THE JEANNE ROSLYN MCMILLON TRUST DATED
OCTOBER 17, 1989

Jeanne Roslyn McMillon TTEE
JEANNE ROSLYN MCMILLON, TRUSTEE

STATE OF IDAHO, COUNTY OF

On this day of 19
before me, a notary public in and for said State, personally appeared

JEANNE ROSLYN MCMILLON

known to me to be the person who
subscribed to the within instrument and acknowledged to me that
executed the same.

Notary Public
Idaho

Residing at
Comm. Expires

State of Idaho)
County of Lemhi)

SS No. 233917

This instrument was filed for record at the request
of *Alberta Wiedrick*
at 1:45 o'clock p.m. 7-31-97
and duly filed and indexed in the records of Lemhi
County

Alberta Wiedrick
Ex-Officio Recorder

By *Lauri J. Moten* Deputy

Fee 9.00

Return to

AMERICAN LAND TITLE ASSOCIATION COMMITMENT — 1966

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a corporation of Missouri, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Commitment to be signed and sealed as of the effective date of Commitment shown in Schedule A, the Commitment to become valid when countersigned by an authorized signatory.

Issued by:
ALLIANCE TITLE AND
ESCROW CORPORATION
205 COURTHOUSE DRIVE
SALMON, ID 83467
(208) 756-4231

CHICAGO TITLE INSURANCE COMPANY

By:

John R. ...
President

By:

Thomas J. Adams
Secretary



Steven R. Gott
Authorized Signatory
STEVEN R. GOTT

SCHEDULE A

File Number: 647543-G

Premium:

1. Effective Date: JULY 15, 1997 AT 8:00 A.M.

2. Policy or Policies to be issued:

A. ☒ ALTA Owner's Policy, (10-17-92) ☒ Standard Coverage ☐ Extended coverage

Amount \$ 110,000.00
Premium \$ 583.00

Proposed Insured: WARD WITTE

B. ☐ ALTA Loan Policy, (10-17-92) ☐ Standard Coverage ☐ Extended coverage

Amount \$
Premium \$

Proposed Insured:

C.

Amount \$
Premium \$

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

FEE SIMPLE

4. Title to the FEE SIMPLE
vested in:

estate or interest in said land is at the effective date hereof

JEANNE ROSLYN MCMILLON, TRUSTEE, PURSUANT TO TRUST DATED OCTOBER 17, 1989.

5. The land referred to in this Commitment is described as follows:

SEE ATTACHED SCHEDULE C

SCHEDULE B SECTION I

REQUIREMENTS

File Number: 6-7543-G

REQUIREMENTS

The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to wit:

1. Execution and recordation of a Warrant Deed from Jeanne Roslyn McMillon, Trustee, pursuant to Trust dated October 17, 1989, to Ward Witte, a married man, dealing with his sole and separate property.
2. Execution and recordation of a Quitclaim Deed from Jolene Stoddard to Ward Witte, a married man, dealing with his sole and separate property.
3. Execution and recordation of a Mortgage securing your loan.

NOTE: If title is to be insured in the trustees of a trust, (or if their act is to be insured), this Company will require a copy of the trust instrument creating such trust, and all amendments thereto, together with a written verification by all present trustees that the copy is the true and correct copy of the trust, as it may have been amended, that it is in full force and effect and that it has not been revoked or terminated.

NOTE: FOR INFORMATIONAL PURPOSES ONLY, NOT UNDER THE INSURING PROVISIONS OF THE POLICY. Taxes for the year 1996 were \$426.94. Balance due is -0-.

NOTE: PURSUANT TO IDAHO STATE DEPARTMENT OF INSURANCE REGULATION 25 AND 56, A CANCELLATION FEE WILL BE CHARGED AND COLLECTED FOR THIS COMMITMENT SHOULD THIS TRANSACTION FAIL TO CLOSE.

NOTE: THIS COMMITMENT WAS PREPARED BY STEVEN R. GOTT, PLEASE DO NOT HESITATE TO CONTACT ME AT (208)756-4231 OR FAX (208)756-4232.

SG/tms-1

SCHEDULE B SECTION 2

File Number: 6-7543-G

Consolidated Number: _____

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

- A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records, or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value, the estate or interest or mortgage thereon covered by this Commitment.
- B. General Exceptions:
- (1) Rights or claims of parties in possession not shown by the public records.
 - (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
 - (3) Easements, or claims of easements, not shown by the public records.
 - (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
 - (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
 - (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
- C. Special Exceptions:

7. General taxes for the year 1997 and subsequent years, which are an accruing lien, not yet due and payable. Liability for additional assessment and subsequent tax billing, if any, by any reason of improvements made to the insured premises subsequent to January 1, 1997.

10. Any rights, interests or easements in favor of the public which exist or are claimed to exist over any part of the land covered by water, that is included within the boundaries of the Lemhi River.

11. Any invalidity or defect in the title of the vestees in the event that the trust referred to in the vesting portion of Schedule A is invalid or fails to grant sufficient powers to the trustee(s) or in the event there is a lack of compliance with the terms and provisions of the trust instrument.

12. Affidavit Establishing Real Property, recorded August 25, 1988 as Instrument No. 191786, records of Lemhi County, Idaho.

CONTINUATION
SCHEDULE B

File Number: 6-7543-G

Commitment Number: 7

13. Encroachment by a fence on the Northwest of the described real estate as disclosed by survey being unrecorded.

SCHEDULE C

File Number: 6-7543-G

The land referred to in this Commitment is described as follows:

A PARCEL OF LAND LOCATED IN THE SE1/4NW1/4 AND THE NE1/4SW1/4 OF SECTION 29, T. 19 N., R. 24 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 29 BEARS N. 89 DEGREES 50' 34" E. A DISTANCE OF 2642.35 FT. THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N. 89 DEGREES 50' 34" E. ALONG THE NORTHERLY BOUNDARY OF SAID SECTION 29 A DISTANCE OF 1321.18 FT. TO THE NORTHWEST CORNER OF THE NE1/4NW1/4 OF SAID SECTION 29, THENCE S. 00 DEGREES 12' 45" E. ALONG THE WESTERLY BOUNDARY OF SAID NE1/4NW1/4 TO THE NORTHWEST CORNER OF THE SE1/4NW1/4 AND THE POINT OF BEGINNING;

THENCE S. 89 DEGREES 56' 35" E. ALONG THE NORTHERLY BOUNDARY OF SAID SE1/4NW1/4 A DISTANCE OF 430.36 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF IDAHO STATE HIGHWAY 28;

THENCE S. 10 DEGREES 09' 16" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 2071.01 FT. TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF AN EXISTING LANE;

THENCE N. 87 DEGREES 53' 28" W. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 329.12 FT.;

THENCE N. 00 DEGREES 12' 45" W. A DISTANCE OF 509.29 FT.;

THENCE S. 89 DEGREES 57' 47" W. A DISTANCE OF 359.07 FT.;

THENCE N. 00 DEGREES 12' 45" W. A DISTANCE OF 148.00 FT.;

THENCE S. 89 DEGREES 47' 15" W. A DISTANCE OF 100.00 FT.

TO A POINT ON THE WESTERLY BOUNDARY OF NE1/4SW1/4;

THENCE N. 00 DEGREES 12' 45" W. ALONG SAID BOUNDARY A DISTANCE OF 1370.21 FT. TO THE POINT OF BEGINNING.

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE SE1/4NW1/4 AND THE NE1/4SW1/4 OF SECTION 29, T. 19 N., R. 24 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE S. 89 DEGREES 56' 35" E. ALONG THE NORTHERLY BOUNDARY OF SAID SE1/4NW1/4 A DISTANCE OF 430.36 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF IDAHO STATE HIGHWAY 28;

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THENCE N. 00 DEGREES 12' 45" W. A DISTANCE OF 148.00 FT.;

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TO A POINT ON THE WESTERLY BOUNDARY OF NE1/4SW1/4;

THENCE N. 00 DEGREES 12' 45" W. ALONG SAID BOUNDARY A DISTANCE OF 1370.21 FT. TO THE POINT OF BEGINNING.

JUN-28-1997 15:03

HOMETOWN REALTY

208 756 6903 P.02

148874

REAL ESTATE PURCHASE AND SALE AGREEMENT

THIS DOCUMENT IS INTENDED TO BE A LEGALLY BINDING AGREEMENT. DO NOT SIGN THIS DOCUMENT UNLESS IT IS FULLY COMPLETED AND YOU COMPLETELY UNDERSTAND BOTH THE FRONT AND BACK OF IT. IDAHO LAW PROHIBITS ANYONE OTHER THAN A LICENSED ATTORNEY FROM GIVING LEGAL ADVICE. THIS TRANSACTION WILL AFFECT YOUR LEGAL RIGHTS AND OBLIGATIONS. CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS. AGREEMENT. The undersigned buyer(s) agree to buy, and the undersigned seller(s) agree to sell, the property described below, at the price and terms described herein.

Buyer's

Signature

Buyer's

Signature

Date

State of

County of

On this

day of

1997

before the undersigned, a Notary Public, personally appeared

person(s) the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for

Residing in

My bond expires

1997

SPECIFIC TERMS AND DETAILS OF AGREEMENT:

1 Legal

Description:

LEGAL ATTACHED

2 Property

Address:

1 MILE PAST TENDON

SALMON

LEWIS

(County), ID (State)

3 Amount of

Cash

ONE HUNDRED FIFTY DOLLARS

(\$ 150.00)

4 Form of

Cash

Personal Check

Certificate of Deposit

Cash

Promissory Note

Other (Describe in "Additional Terms of Purchase")

5 Total Price

of Property:

ONE HUNDRED TEN THOUSAND DOLLARS

(\$ 110,000.00)

6 Financing

Cash

FHA

VA

DIA

Conventional

Assume Seller's Loan

7 Down

Payment

TWENTY-FIVE THOUSAND DOLLARS

(\$ 25,000.00)

8 Additional

Financing Terms

\$25,000 CASH DOWN PAYMENT.

BUYER TO EXECUTE A NOTE SECURED BY A MORTGAGE

ON THE PROPERTY, IN FAVOR OF SELLER, FOR THE

BALANCE OF \$85,000, PAYABLE AT APPROX. \$710.97

PER MONTH, INCLUDING INTEREST AT 8% ANNUAL

FOR 20 YEARS.

WITH THE ENTIRE BALANCE DUE 10 YEARS

FROM DATE OF CLOSING.

9 Contingencies:

Contingent on Financing

Contingent on sale of buyer's home

Other Contingency (Describe in "Additional Financing Terms")

Maximum interest rate for Buyer's loan

Maximum number of points

Seller is obligated to pay:

Maximum cost of land-survey to be paid by Seller

Property to remain on market

10 Date of Closing: AUG. 1, 1997

Date of Possession: AUG. 1, 1997

11 Closing to be performed by: ALLIANCE TITLE AND ESCROW

12 Title Insurance to be provided by (Title Company): ALLIANCE TITLE AND ESCROW

13 Property Specifically

Included in Sale

STOVE, REFRIG., WASHER/

DRYER, DISHWASHER, DRAPE

14 Property Specifically

Excluded from Sale:

PERSONAL ITEMS OF SELLER'S

15 Offer subject to

Acceptance by (Date):

(Time):

16 Listing

Broker: HOMETOWN REALTY

17 Agent's Name:

BARBARA BOLT

18 Agency Disclosure:

At the time of signing this agreement the agent

was working with the Seller as a

Selling Agent

Each party

signing this document certifies that prior written disclosure of agency was provided

to him/her in this transaction. Each party to this transaction has read and understands

the contents of this agency disclosure and has previously agreed

19 Parties to Transaction

Buyer's Name(s):

WARD Witte

Name(s):

Salmon, J.D.

Address:

City, State, Zip:

Seller's Name(s):

JEANNE A. MC MILLON

Name(s):

Address:

P.O. BOX 305

City, State, Zip:

SPRING VALLEY, CA. 91976

20 Additional

Terms of Purchase:

BUYER AND SELLER TO SPLIT ALL CLOSING

COSTS. BUYER IS ACCEPTING PROPERTY

IN "AS IS" CONDITION. ALL CORNER SURVEY

PINS TO BE ESTABLISHED FOR BUYER.

CONTINGENT BY JULY 15, 1997

Buyer hereby receives for a copy of this agreement with the seller's signature

showing seller's acceptance of offer OR agent certifies that the buyer is copy

with seller's acceptance and sent to buyer via certified mail.

Signature:

Date:

The provisions on the BACK of this

form are also a part of this agreement.

Buyer's Initials:

Seller's Initials:

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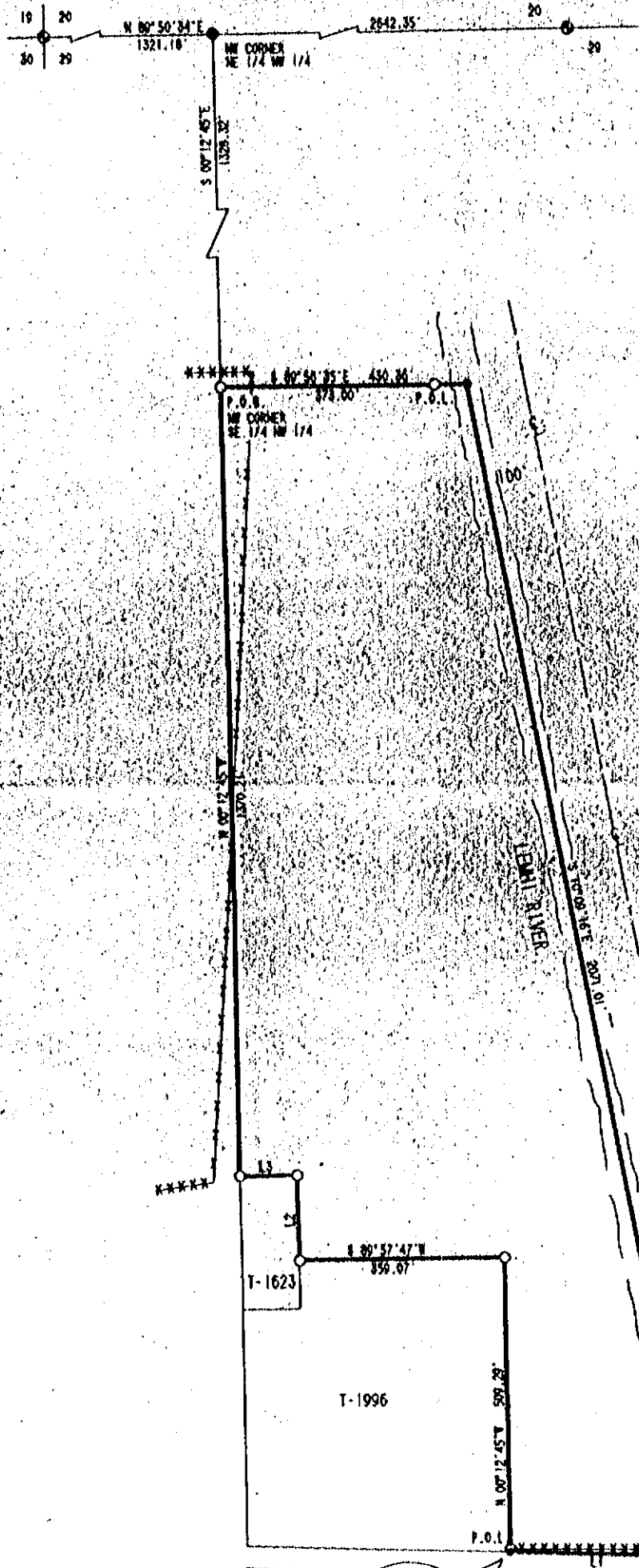
FBI/DOJ

PH. 208-343-8438 All Rights Reserved Form 97SA-4 Rev. 6/94

White - Broker's Copy / Yellow - Buyer's Receipt / Pink - Seller's Copy / Green - Buyer's Copy with Buyer's Acceptance

Buyer & Seller
to split all survey
cost
9.8m
W.W.

A PARCEL OF LAND LOCATED IN THE
NE 1/4 SW 1/4 OF SECTION 29
BOISE MERIDIAN, LEMHI



A PARCEL OF LAND L
NE 1/4 SW 1/4 OF SECTION
LEWIS COUNTY IDAHO, MO
COMMENCING AT THE
WHICH THE NORTH QUARTER
N 89° 50' 34" E A DISTANCE
THIS DESCRIPTION, RUN TO
BOUNDARY OF SAID SECTION
NORTHWEST CORNER OF THE
S 0° 12' 45" E ALONG THE
THE NORTHWEST CORNER OF
BEGINNING.

THENCE S 89° 58' 35"
1/4 NW 1/4 A DISTANCE
RIGHT-OF-WAY OF IDAHO
THENCE S 10° 09' 16"
2071.01 FT. TO A POINT
LAKE

THENCE N 87° 53' 28"
329 12 FT

THENCE N 0° 12' 45

THENCE S 89° 57' 47"

THENCE N 0° 12' 45"

THENCE S 89° 47' 15"

THE WESTERLY BOUNDARY

THENCE N 0° 12' 45"

1370 21 FT. TO THE POI

PARC

LINE	BEARING
L 1	N 87° 53
L 2	N 00° 12
L 3	S 89° 47
L 4	N 00° 12



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 28, 1990

Mr. Frank Bates
14748 E. Carothers Avenue
Kingsburg, CA 93631

RE: Snake River Basin Adjudication
Water Right #74-01782 Lemhi County

Dear Mr. Bates:

Attached you will find a computer copy of this water right for your information. This water right has been Decreed in the Lemhi Adjudication in the early 1970's. I have tried to mark the areas of information that you will need to put on the enclosed paper Notice of Claim.

Since this water right has been Decreed, the Point of Diversion(#4)and Place of Use(#10) CANNOT be changed. Also, Total Acres(#10), or Amount of Water used (#6-C.F.S.) CANNOT be greater than the original filing. If these conditions are met, no fees will be required. You will essentially be claiming only your portion of the total claim and be filing for a "split" water right.

If you have any further questions or need further explanation please call.

Yours truly,

Danni Smith

Danni Smith
Adjudication Secretary

Encl: #74-01782
Long Claim Form & Instructions

*4-25-91
no SRBA claim
or receipt or
split right in
this name
Danni Smith*

MICROFILMED

DEC 14 1992

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: A74-01782B
Date Received: 4/25/1990
Receipt No: X999999
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KELLY ANGLIN 208-756-4467
Address: P.O. BOX 56
TENDROY, ID 83468
AND/OR
Name: BONNIE ANGLIN 208-756-4467
Address: P.O. BOX 56
TENDROY, ID 83468

2. Date of Priority: APR 01, 1909

3. Source: LEMHI RIVER Trib. to: SALMON 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:
DITCH & HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.110		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/40 MIXED STOCK INCIDENTAL TO IRRIGATION

A74-01782B

Page 1

Date: 04/25/90

MICROFILMED

DEC 14 1992

A7401782B



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	24E	29	NE SW		IRR	3.5
Section Acres						3.5
Total Acres						3.5

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:

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 _____ 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): X Kelly W. Angli Date: 4/25/90
Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of April 19 90

Allen Beumbe
Notary Public

Seal

Residing at Cataldo

My Commission Expires 7/20/94

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DEC 14 1992

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: A74-01782C
Date Received: 5/ 7/1993
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK BATES 209-897-3502
Address: 14748 E CARUTHERS
KINGSBURG CA 93631

2. Date of Priority: APR 1, 1909

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

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

5. Description of diverting works:
L31B SCREWTYPE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.147		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
19N	24E	29	NE	SW		IRR	5.0

Section Acres 5.0

Total Acres 5.0

A74-01782C

Page 1

Date: 05/04/93

APR 19 1994



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:

DIV L-31B, ACRES IRRIGATED-5, SPLIT DATE: OCT. 1978

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 _____ 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: _____

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

POOR ORIGINAL

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 _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 06 1993

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) FRANK BATES Phone (209) 897-3502

Mailing Address 14748 E. CARUTHERS KINGSBURG CA Zip 93631

2. Date of Priority (Only one (1) per claim) April 1, 1909

3. Source of water supply (a) LEMHI RIVER
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 19N Range 24E Section 29,
_____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of LEMHI

Additional points of diversion if any: _____

b. If Instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

There is a screw type headgate
on a pipe approx 12'-14" in dia.
L 31 B

MICROFILMED

APR 19 1994

POOR ORIGINAL
(acre feet)

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

For IRRIGATION purposes from 04/15 to 10/15 amount 0.1478 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.1478 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 12.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>19N</u>	<u>24E</u>	<u>29</u>									<u>5</u>								<u>5</u>

Total number of acres irrigated 5

11. In which county (ies) are lands listed above as place of use located? LEMMING

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: ACRES IRRIGATED-5
DIV L-31B
SPLIT DATE: OCT. 1978

Last Name BATES Ident No. _____

MICROFILMED
Copies: White, State, Yellow, Grant
APR 19 1994

Scale: 2 inches equals 1 mile

19 N 24 E 29

POOR ORIGINAL

Last Name

Bates

Ident No.

MICROFILMED

APR 19 1994

Copies: White-State, Yellow-Claimant



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____
Decree ☒ _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date 4/1/1909
Plaintiff vs Defendant R. ADAMS

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

Signature of Claimant (s) Frank Bates

Date 4/30/93

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization _____

document in the space below as _____

Title _____

of _____

Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

) SS.

County of _____)

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

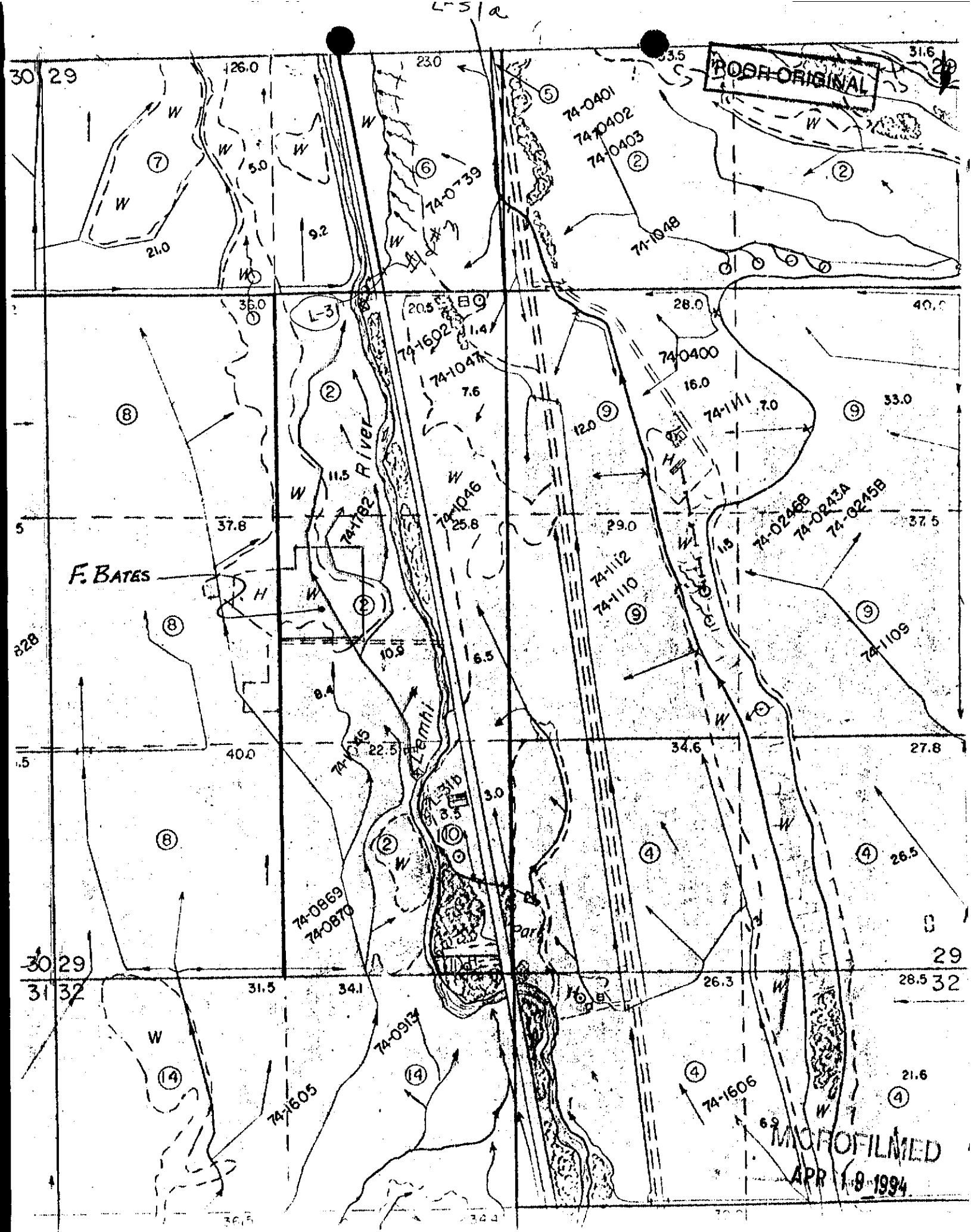
Date _____

Last Name _____ Ident. Number _____

MICROFILMED

APR 19 1994

Copies White-State, Yellow-Claimant



29

N 89° 58' 00" W

1319.84'

29

POOR ORIGINAL

1324.22'

35.00'

1319.84'

EAST

359.07'

EAST

100.00'

500 AC

NE 1/4 SW 1/4

5.87° 49' E - (800.55 REC.)

Access
Right of Way

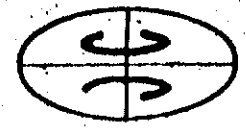
628.02'

N 89° 56' 30" W

1317.94'

1317.94'

MICROFILMED
APR 19 1994



john
eng
saln

CV 85039

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

POOR ORIGINAL

CIVIL CASE NUMBER: 30576

Ident. Number 74-01782-15

Date Received

Receipt Number

*Needs a split
number when
returned.*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

REC

APR 16 1990

NO
Department of Water Resources

Please type or print clearly

- Name of Claimant (s) FRANK BATES Phone (209) 897-3502
Mailing Address 14748 E. Caruthers Kingsburg CA Zip 93631
- Date of Priority (Only one (1) per claim) April 1, 1909
- Source of water supply (a) Lemhi River
which is tributary to (b) Salmon River
- a. Location of existing point of diversion is: Township 19N Range 24E Section 29,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Lemhi
Additional points of diversion if any: _____
b. If Instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

MICROFILMED

APR 19 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

POOR ORIGINAL
(CFS)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 0.03035 or 15178

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2273213 (cfs) and/or (b) 1.36606 (acre feet)

8. Total consumptive use claimed is 1.36606 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See Instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>19N</u>	<u>24E</u>	<u>29</u>											<u>✓</u>	<u>✓</u>					<u>5</u>

Total number of acres irrigated 5

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

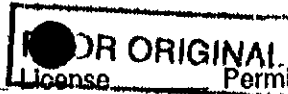
14. Remarks: ACRES IRRIGATED 5
DIV L-31B
Split date Oct. 1978

Last Name BATES Ident No. 74-01782 #15

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APR 19 1984
Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____



Decree ☒

If applicable provide IDWR Water Right Number 83468

Court _____

Case Number _____

Decree Date 4/1/1909

Plaintiff vs Defendant R. Adams

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 3

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Frank Bates

Date 4/13/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____

Organization _____

, that I have signed the foregoing

document in the space below as _____

Title _____

of _____

Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

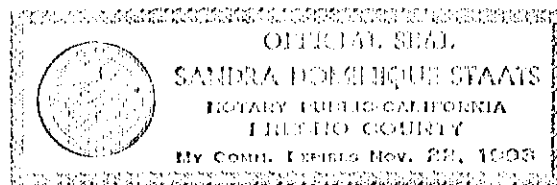
Title and Organization _____

Date _____

State of California

County of Fresno

SS.



Subscribed and sworn (or affirmed) before me this

13th

day of

April

19 90

SEAL

Notary Public Sandra Dominique Staats

Residing at

1400 Draper Kingsburg, CA

My Commission Expires

Nov. 22, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Bates

Ident. Number _____

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Copies: White-Stat, Yellow-Claimant

APR 19 1994

POOR ORIGINAL

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: ^{#15} X74-01782
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALSTON W. ADAMS
Address: P.O. BOX 52
TENDROY, ID

83468

Name: RACHEL ADAMS
Address: P.O. BOX 52
TENDROY, ID

83468

2. Date of Priority: APR 01, 1909

3. Source: LEMHI RIVER

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	24E	29	SE SW		LEMHI <i>Same</i>

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.680		

7. Total Quantity Appropriated is:

0.680 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

None amount - See instructions

A74-01782

Page 1

Date: 02/20/90

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APR 19 1994
DEC 14 1992

POOR ORIGINAL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	24E	29	SE	NW		IRR	12.0
			NE	SW		IRR	11.07
							23.0
							23.0

*adjust per
your ownership*

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.=22.4.
DIV. L-31B.

adjust - note split date

15. Basis of Claim: DECREE

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
DEC 14 1992
APR 19 1994

INTER-DEPARTMENT MEMO

TO: FileFROM: D. Carlson

POOR ORIGINAL

SUBJECT: A74-01782cDATE: 5/7/93

This claim for 5 acres of 74-01782 is probably not correct. According to the maps provided by claimant, Only about one acre is part of the land list for 74-01782. The rest of the acreage is waste and or trees.

A Field Exam would wise!

5-7-93-JD

This claim is being filed as Duro Carlson instructed.

() For your information

() Response required

signature

MICROFILMED

APR 19 1994

FRANK BAROS:

POOR ORIGINAL

Complete #5.

POOR ORIGINAL

#6. Calco. (V¹⁸⁵ 4/15 - 10/15) ^{6 mos.}

#7. 0.1478

#8. (5)(2.5) = 12.5 ACFT/AN

#9. $\Rightarrow$ NONE

#10. SW1SW4 - SAC CLAIM
SB4SW4. $\frac{SAC}{10AC}$ SAC
Assessor's NW1/4SW

#13. NONE

Receipt Amount ?
" Number ?

RP19N24E29420S

Tax # 1996 - SAC

Whil 1/4 1/4 ?

NWNE SW

This is a split from Original.
Remains Split - Oct. 1978

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APR 19 1984

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Bates

CLAIM NO. ??????

DATE RECEIVED

CK #

AMOUNT \$

YES

NO

Required Info? *

1. Is the name and address complete with zip code?

2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

15. Is the basis of the claim indicated?

16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)

N/A

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.

18. Has the claim been signed, sealed, and dated by a notary?

19. Was this claim filed on time, or was an extension granted?

20. Is the fee enclosed correct? Exempt

21. If this claim is based on an existing water right, has the identification number been entered?

N/A

22. Should this claim be data entered?

Claim checked by:

Date:

Claim must be returned to claimant:

(Yes) (No)

Claimant must be notified of modifications:

(Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

Frank Bates is claiming the
water right NO. See claim in

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MAY 6 1993

Department of Water Resources
Eastern District Office

Follows is a description of where these
5 acres are located. In the NE $\frac{1}{4}$ SW $\frac{1}{4}$
section 29 T 14N R 24E B.M. Lemhi
County Idaho

Commencing at the Northwest Section
corner of said section 29 from which
the North Quarter corner of Section 30
bears S. $89^{\circ} 34' 12''$ W a distance of
1323.63 feet on a bearing of N $89^{\circ} 47' E$
to the Northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$
thence S $0^{\circ} 10' 32'' E$ 2966.33 feet along
the West boundary of the E $\frac{1}{2}$ NW $\frac{1}{4}$ and the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the Real point of Beginning.

From this Real Point of Beginning a
distance of 371.98 feet continuing on a
bearing of S $0^{\circ} 10' 32'' E$ thence S $87^{\circ} 49' E$
459.45 feet; thence N $0^{\circ} 10' 32'' W$ 599.29
feet; thence West 359.07 feet thence S
 $0^{\circ} 10' 32'' E$ 119.80 feet; thence west
100.00 feet to the Real Point of Beginning
said parcel contains 5.00 ~~acres~~ acres.

Frank R. [illegible] MICROFILMED
APR 19 1994

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MAY 06 1991

Department of Water Resources
Eastern District Office

POOR ORIGINAL

I hope that I have all
the information this time that
you need.

Your consideration and cooperation
is very much appreciated. In
this state you wonder if they are out
to get you or break you.

Thank you very much for your
help and consideration.

Frank Bates
14748 E. Caruthers Ave
Kingsburg Ca. 93631

209-897-3502

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APR 19 1994

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of California
County of Fresno

POOR ORIGINAL

On 4/30/93 before me, Sandra D. Staats
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Frank Bales
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



OFFICIAL SEAL
SANDRA DOMINIQUE STAATS
NOTARY PUBLIC-CALIFORNIA
FRESNO COUNTY
MY COMM. EXPIRES NOV. 22, 1993

WITNESS my hand and official seal.

Sandra D. Staats
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☒ INDIVIDUAL
☐ CORPORATE OFFICER(S)

TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT notice of claims w/late rights

NUMBER OF PAGES 8 DATE OF DOCUMENT 4/30/93

SIGNER(S) OTHER THAN NAMED ABOVE None

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

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APR 19 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

POOR ORIGINAL

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 19 N Range 24 E
Section 29, 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.

☐ 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: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): R. ADAMS UNKNOWN

☐ New Owner/Claimant
(Purchaser): FRANK BATES

☐ New Mailing Address: 14748 E CARUTHERS
RIVERSIDE CA. 93631

☐ New Telephone Number: 709.897.3502

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
5/23 RDS OF 0.68cfs = 0.1478cfs

☐ Attach proof of ownership, describe proof attached: Leimhi County TAX notice

(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): Frank Bates Date 4/30/93
Roxie Ann Bates Date 4/26/93

☐ Signature of Former Owner/Claimant(s): _____ 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: _____ By: _____

Claim Numbers of Split, if any:

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

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APR 19 1994

POOR ORIGINAL

LEMHI COUNTY TAX NOTICE AND RECEIPT

1992 KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE SIDE
YOUR CANCELLED CHECK IS YOUR RECEIPT

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
15625	22-00	RP19N24E294205A	7498

T-1996 5 ACRES
15625 29 19 24

5.000 BATES, FRANK
TOT ACRES & BATES, DOROTHY
14748 E CARUTHERS AVE
KINGSBURG, CA 93631

TAXING DISTRICT	RATE	AMOUNT	REC
STATE			FULL
LEMHI COUNTY	.003461	54.08	TAX 1
SCHOOL DIST 292	.004266	66.66	PEN.
LEMHI RURALFIRE	.000909	14.20	INT.
			COST
			TOT.
			1ST IN
			TAX
			PEN.
			INT.
			COST
			TOT.
			2ND IN
			TAX
			PEN.
			INT.
			COST
			TOT.
TOTAL	.008636	134.94	

11/25
OK # 1221

AVOID LATE FEE & INTEREST---MAIL EARLY.
** \$17 WILL BE ADDED FOR CHECKS RETURNED BY B

MICROFILMED
APR 19 1994

APRIL 19 1993

MR FRANK BATES
14748 E CARUTHERS
KINGSBURG CA 93631

RE: NOTICE OF CLAIM TO A WATER RIGHT

Dear Mr. Bates:

During review of your Notice of Claim to a Water Right, filed for your property in Lemhi County, Idaho, several questions have arisen. I have enclosed a photostatic copy of the claim you submitted and a copy of the Lemhi River Basin Decree map as references for your review.

For your convenience, I have filled out a new Notice of Claim to a Water Right form for your claim to an irrigation right. Please note or complete the following as indicated:

1.) Complete the enclosed **Notice of Change of Water Right Ownership form**, as indicated in highlighted areas.

2.) Reference the enclosed map for boundaries of your acreage.

NOTE: The following items refer to the Notice of Claim to a Water Right form.

3.) Complete Item #5. Describe the water diversion works.

4.) Item #6 indicates 0.03035cfs claimed. As a split from the original water right your entitlement would be 5/23rds of 0.68cfs, or 0.1478cfs. The use period, based on the Consumptive Irrigation Requirement Study, is April 15 through October 15, inclusive.

5.) The "Total quantity claimed" is 0.1478cfs, in Item #7.

6.) "Total Consumptive Use", Item #8, is again based on the Consumptive Irrigation Requirement Study and is calculated as 2.5 acre feet per acre per annum; $(5) \times (2.5) = 12.5$ acre feet per annum.

7.) Item #9 has been completed by indicating NONE. This means water is not allocated for stockwater or domestic use from this source.

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APR 19 1994

BATES, FRANK
PAGE 2

8.) In the table of Item #10, you have entered both the SW1/4SW1/4 and SE1/4SW1/4, both indicating 5 acres each. "Total number of acres irrigated" indicates 5. The Lemhi County Assessor indicates your parcel is located in the NE1/4SW1/4 of Sec. 29, T19N, R24E. Therefore, please verify from the enclosed map your actual parcel location.

9.) Item #13 has been completed by indicating NONE, since there are no other water rights claimed for this parcel.

10.) Item #16 will require that you sign the new claim in the presence of a Notary Public. Return it to this office by May 12, 1993.

When the completed form is received by this office, signed and Notarized, it will be renumbered for the Snake River Basin Adjudication and processing of the claim will continue.

If you should have any questions regarding this matter please feel free to contact IDWR at (208) 525-7161.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudications Bureau

Enclosures: Notice of Claim to a Water
Right form-irrigation
Area map
Notice of Change of Water
Right Ownership form

File: TIC

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APR 19 1994

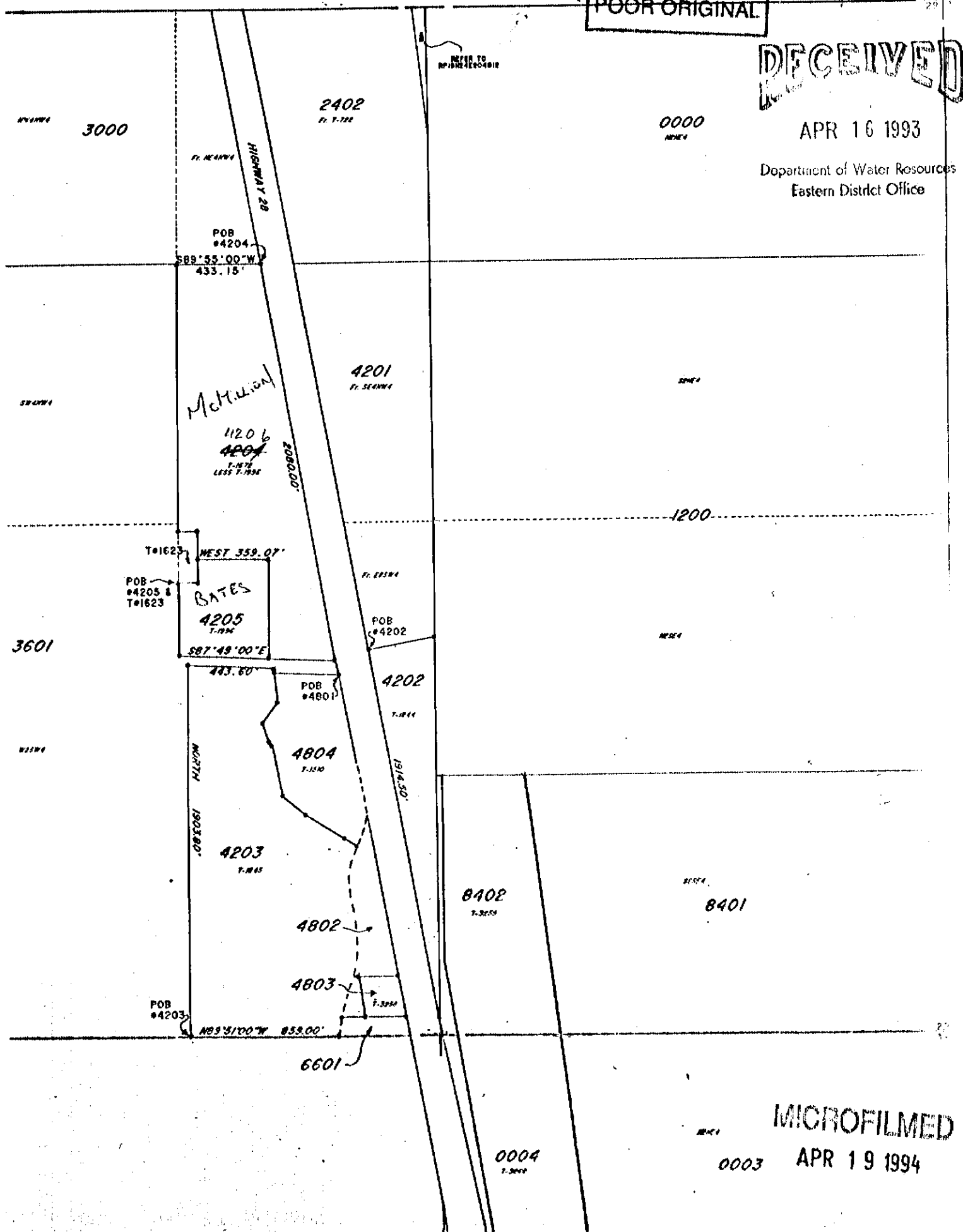
2, T19N R24E

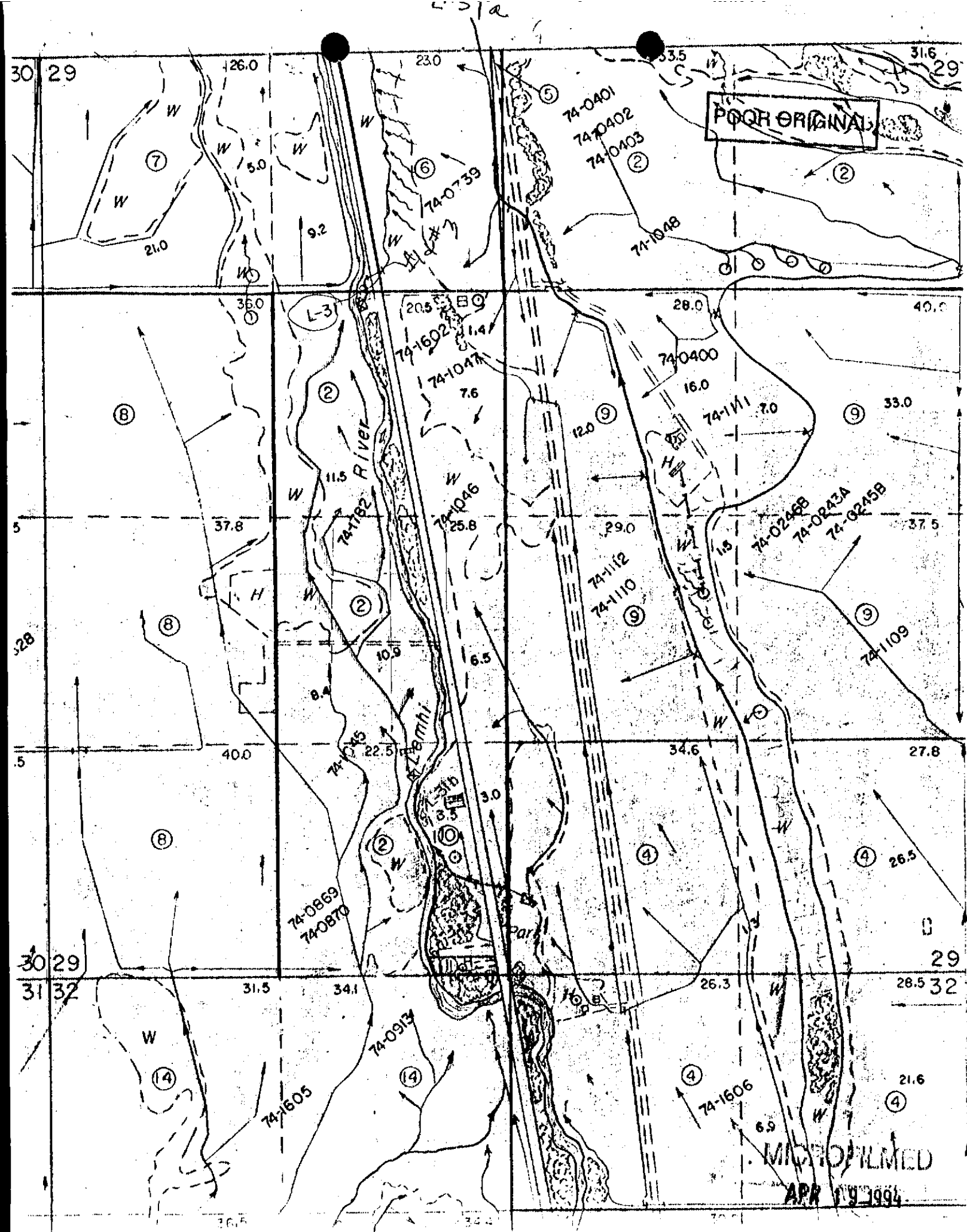
POOR ORIGINAL

RECEIVED

APR 16 1993

Department of Water Resources
Eastern District Office







State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 28, 1990

Mr. Frank Bates
14748 E. Carothers Avenue
Kingsburg, CA 93631

RE: Snake River Basin Adjudication
Water Right #74-01782 Lemhi County

Dear Mr. Bates:

Attached you will find a computer copy of this water right for your information. This water right has been Decreed in the Lemhi Adjudication in the early 1970's. I have tried to mark the areas of information that you will need to put on the enclosed paper Notice of Claim.

Since this water right has been Decreed, the Point of Diversion(#4) and Place of Use(#10) CANNOT be changed. Also, Total Acres(#10), or Amount of Water used (#6-C.F.S.) CANNOT be greater than the original filing. If these conditions are met, no fees will be required. You will essentially be claiming only your portion of the total claim and be filing for a "split" water right.

If you have any further questions or need further explanation please call.

Yours truly,

Danni Smith

Danni Smith
Adjudication Secretary

Encl: #74-01782
Long Claim Form & Instructions

*4-25-91
no SRBA claim
or receipt or
split right in
this none Smith*

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APR 19 1994 14 1994