

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 37-882
Date Received: 10/25/1988
Receipt No: C003854
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

NICK VANOFF PRESENTS INC
A CALIFORNIA CORPORATION
C/O NICK VANOFF JR
PO BOX 834
SUN VALLEY ID 83353

Phone: (208)762-9572

2. Date of Priority: 07/10/1884

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	22	NE SW	BLAINE	

5. Description of diverting works:

Water is diverted from the Big Wood River at the Rockwell Bypass headgate.
Watermaster delivers water from the Rockwell Bypass to a feeder ditch at the
Fleming #34 headgate.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	4	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	22	NE	SW	IRRIGATION	5.7
			SE	SW	IRRIGATION	2
			NW	SE	IRRIGATION	2.1
			Section Acres			
02N	18E	27	SE	NE	IRRIGATION	26.2
			NE	SE	IRRIGATION	10
			NE	NE	IRRIGATION	4.9
			Section Acres			
Total Acres						50.9

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN- JECTION NOT LISTED.

| CHANGE OF OWNERSHIP***** WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707 (10-19-1989 SCC)

*****9/12/00 TF; CLAIM AMENDED TO REFLECT ACTUAL PLACE OF USE.

Amended Claim

The claimed acreages reflect land that was historically irrigated, based on a review of aerial photos. The place of use is shown on the attached aerial map. ALL REMARKS IN ORIGINAL CLAIM FILING STILL APPLY.

(Amendment changed priority date, point of diversion, and place of use.)

15. Basis of Claim: Decreed

AMENDED

3: 882

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
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 LAWRECEIVED
APR 30 2002
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Nick Vanoff Presents, Inc. c/o Nick Vanoff Jr. Phone (208) 726-9572Mailing Address P.O. Box 834, Sun Valley, ID Zip 833532. Date of Priority (Only one (1) per claim) 7/10/18843. Source of water supply (a) Big Wood Riverwhich is tributary to (b) Malad River4. a. Location of existing point of diversion is: Township 2N Range 18E Section 22,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Blaine

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. Water is diverted from the Big Wood River at the
Rockwell Bypass headgate. Watermaster delivers water from the Rockwell Bypass to a
feeder ditch at the Fleming #34 headgate.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 4.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.0 (cfs) and / or (b) _____ (acre feet)

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

9. Non-irrigation uses; described fully (e.g. 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 together 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	
2N	18E	22									5.7			2.0		2.1			9.8
2N	18E	27	4.9			26.2									10.0				41.1

Total number of acres irrigated 50.9

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

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 ☒

14. Remarks:

The claimed acreages reflect land that was historically irrigated, based on a review of aerial photos. The place of use is shown on the attached aerial map.

ALL REMARKS IN ORIGINAL CLAIM FILING STILL APPLY.

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) ☐ Official Use ☐ Posted Notice ☐ License ☐ Permit ☒ Decree

If applicable provide IDWR Water Right Number 37-0882
Court _____ Case Number _____ Decree Date 6/6/1913
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 2 maps

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am NIC VANOFF, PRESIDENT
Title

Of NIC VANOFF Presents, Inc., that I have signed the foregoing

Document in the space below as PRESIDENT of NIC VANOFF PRESENTS, INC.
Organization Title Organization

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

Signature of Authorized Agent _____

Title and Organization PRESIDENT NIC VANOFF PRESENTS, INC. Date 4/15/02

State of ~~Idaho~~ / or CALIFORNIA)
County of LOS ANGELES) SS.

Subscribed and sworn (or affirmed) before me this 15 day of APRIL, 20 02

SEAL



Notary Public MICHELLE Y. JAURE

Residing at LOS ANGELES, CA

My Commission Expires 3/2/04

Please Print Name

17. Notice of Appearance:

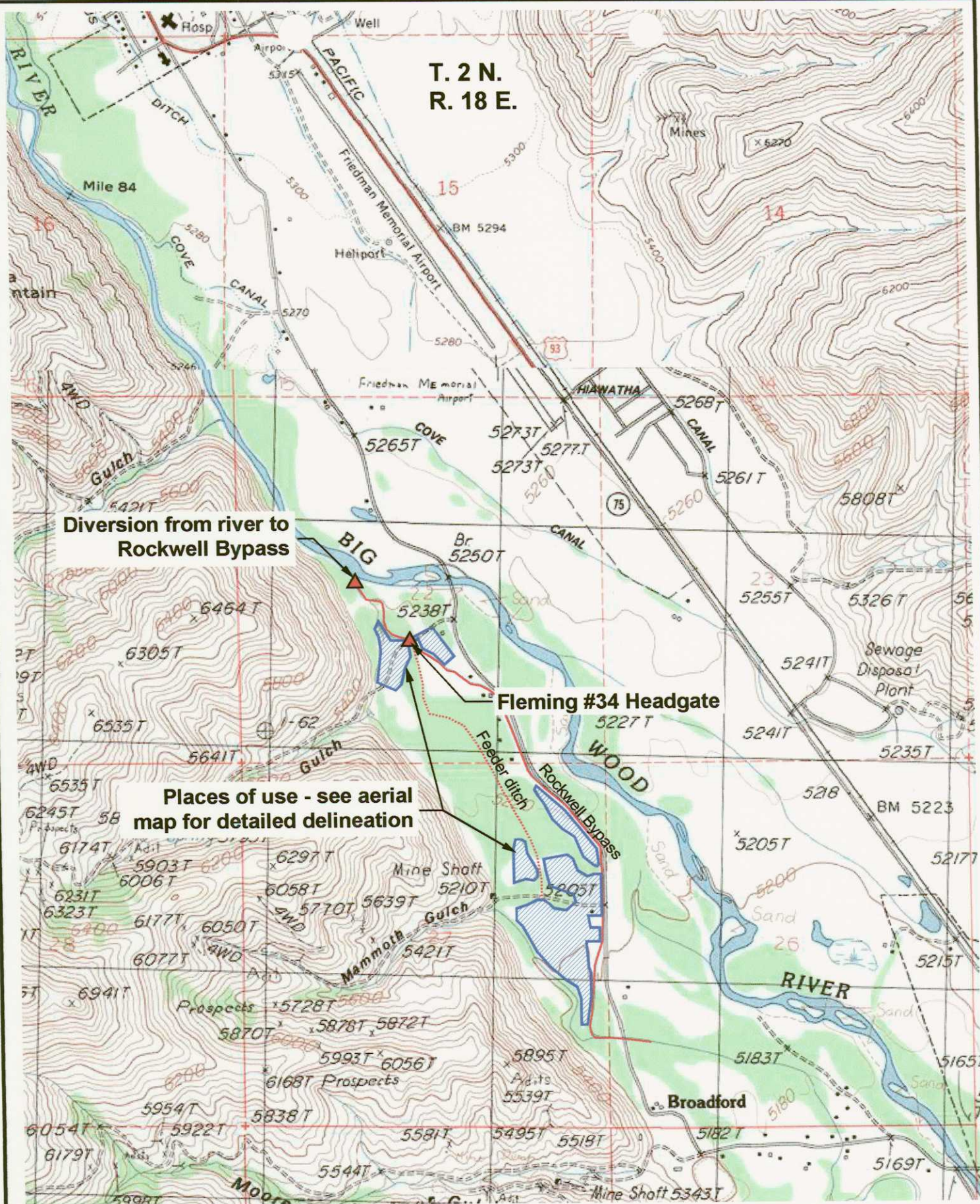
Notice is hereby given that I, _____ will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



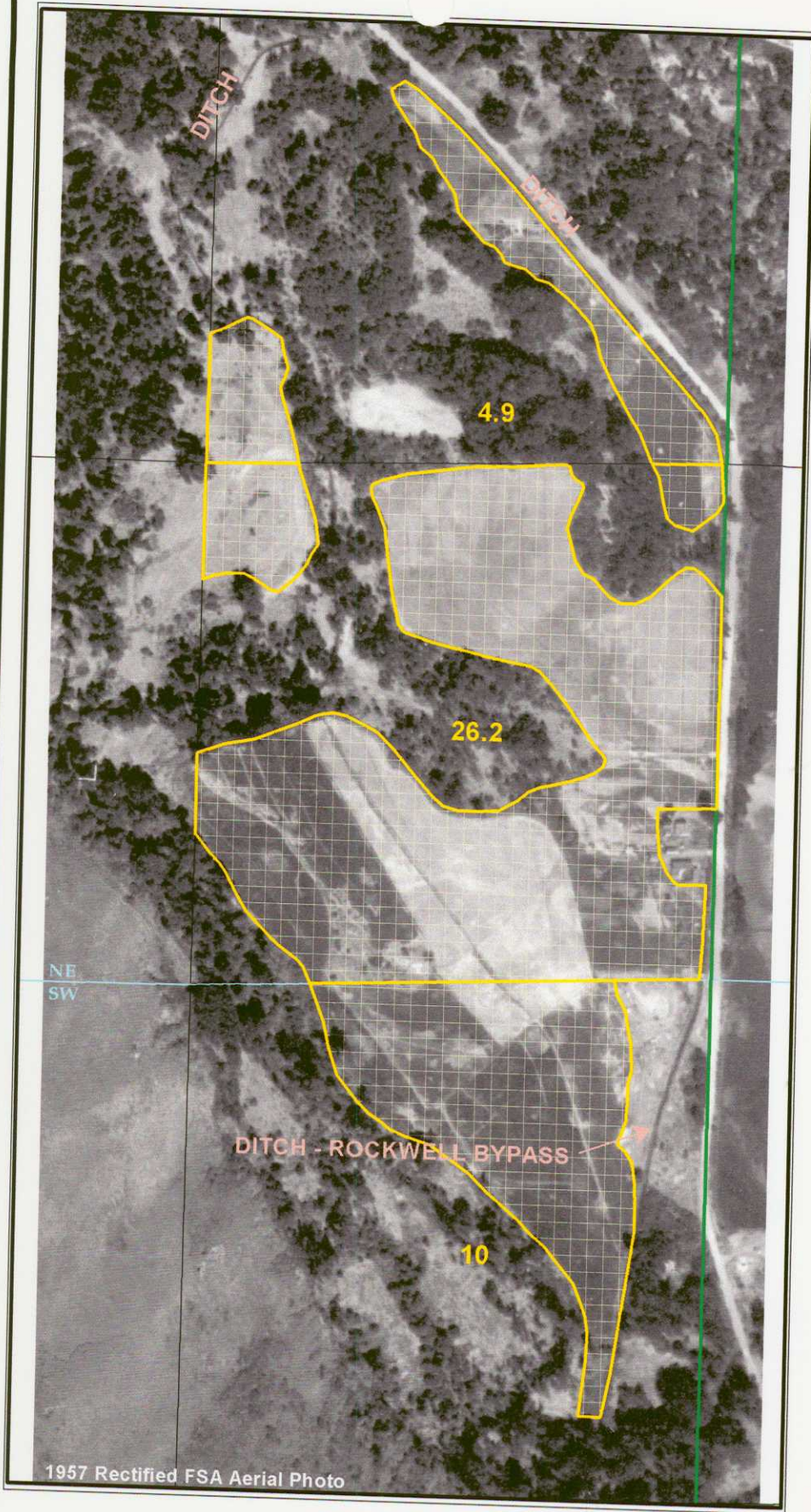
Central Area Bend of the River Irrigation T02N, R18E, Section 22



- Irrigated Acreage
Total Acres Irrigated = 9.8 ac.
- Quarter Section Lines
- Quarter Quarter Section Lines



1964 Rectified FSA Aerial Photo



South Area Bend of the River Irrigation T02N, R18E, Section 27



- Irrigated Acreage
Total Acres Irrigated = 41.1 ac.
- Section Lines
- Quarter Section Lines
- Quarter Quarter Section Lines

200 0 200 400 600 800 Feet

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-882
Date Received: 10/25/88
Receipt No:
Received By:

37-00882

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

NICK VANOFF PRESENTS INC Phone: (208)762-9572

A CALIFORNIA CORPORATION
C/O NICK VANOFF JR
PO BOX 834
SUN VALLEY ID 83353

2. Date of Priority: 06/01/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
02N	18E	22	SW SE	BLAINE
02N	18E	22	NW SW	BLAINE

5. Description of diverting works:

FLEMING #34 HEADGATE FROM BROADFORD SLOUGH TO ROCKWELL BYPASS CAN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	4	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	22	NW	SE	IRRIGATION	10
					Section Acres	10
02N	18E	27	SE	NE	IRRIGATION	26
			NE	SE	IRRIGATION	12
					Section Acres	38
					Total Acres	48

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN- JECTION NOT LISTED
| CHANGE OF OWNERSHIP***** WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707 (10-19-1989 SCC)

9/12/00 TF; CLAIM AMENDED TO REFLECT ACTUAL PLACE OF USE.

15. Basis of Claim: Decreed

SEP 12 2000

Department of Water Resources
Southern RegionIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-00882
Date Received: 10/25/88
Receipt No: C003854
Received By:AMENDEDNOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAWAMENDED

1. Name of Claimant(s)

Name: NICK VANOFF PRESENTS INC Phone: (208)762-9572

Address: A CALIFORNIA CORPORATION C/O NICK VANOFF JR
PO BOX 834
SUN VALLEY ID USA 83353

2. Date of Priority: 06/01/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
02N	18E	22	SW SE	BLAINE
02N	18E	22	NW SW	BLAINE

5. Description of diverting works:

FLEMING #34 HEADGATE FROM BROADFORD SLOUGH TO ROCKWELL BYPASS CAN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	4	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	22	NW	SE	IRRIGATION	10
					Section Acres	10
02N	18E	27	SE	NE	IRRIGATION	26
			NE	SE	IRRIGATION	12
					Section Acres	38
					Total Acres	48

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN- JECTION NOT LISTED. | CHANGE OF OWNERSHIP***** WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707 (10-19-1989 SCC)

This record is an amended claim draft changing PoU from NESW to NESE.

15. Basis of Claim: Decreed

A37-00707 = 49ac
A37-04185

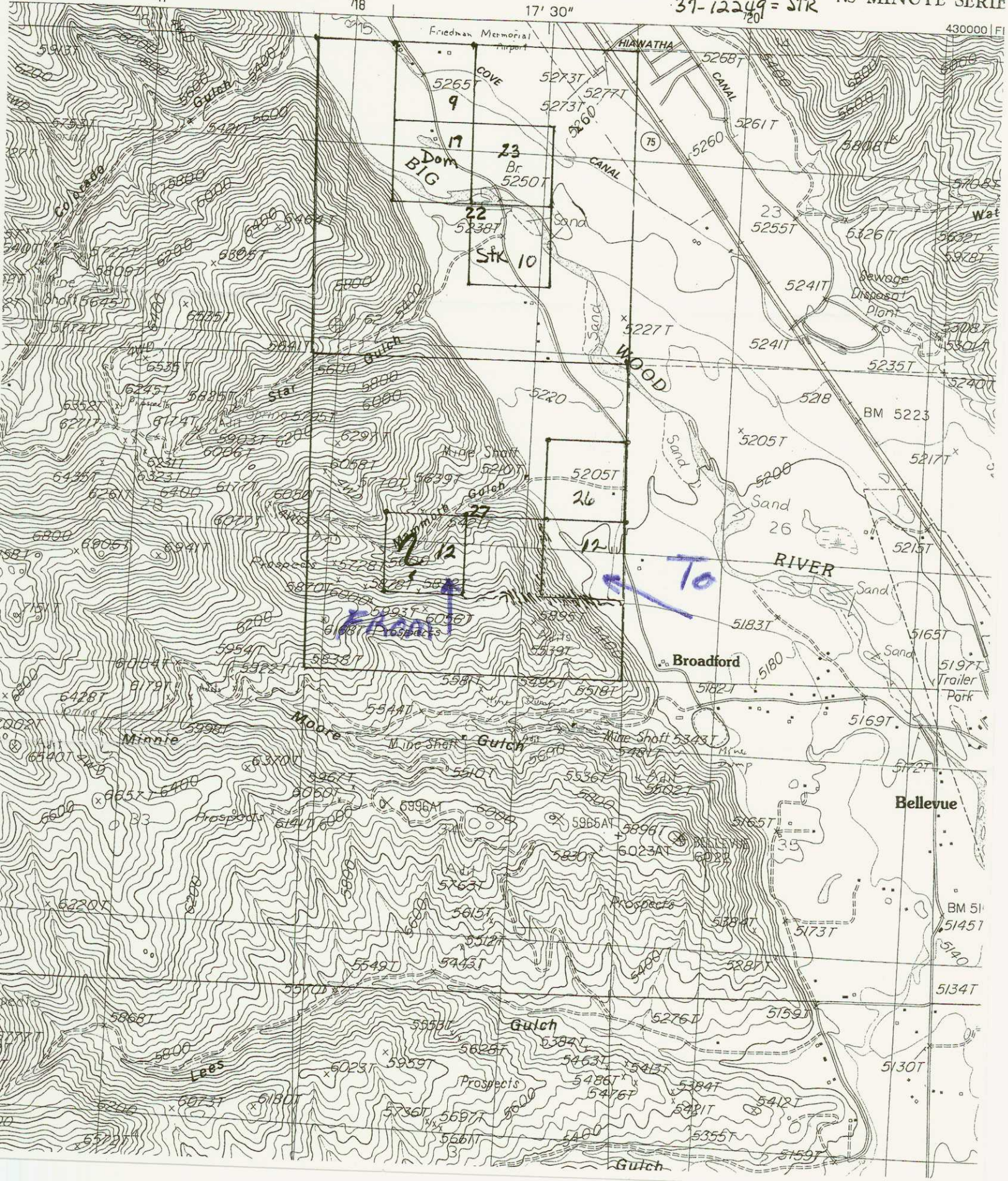
A37-00882 = 48ac

T2N R18E

37-12246 = Dom

37-12249 = STK

BELLEVUE C
IDAHO-B
7.5 MINUTE SERIE



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 Organizations:

I do solemnly swear or affirm that I am _____ of
Title _____, 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 _____

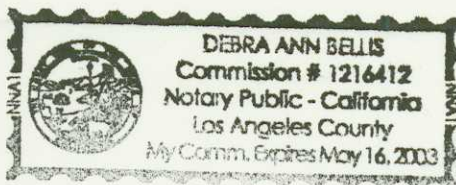
Date _____

State of California)
County of Los Angeles) SS.

Subscribed and sworn (or affirmed) before me this
of Sept 7 2000

Debra Ann Bellis
Notary Public

Residing at 4756 Summit Ave
My commission Expires May 16, 2003



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: A37-00882
Date Received: 12/12/1988
Receipt No: C003854
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NICK VANOFF PRESENTS, INC.
Address: A CALIFORNIA CORPORATION
C/O NICK VANOFF, JR.
P.O. BOX 834
SUN VALLEY, ID 83353
208-762-9572

2. Date of Priority: JUN 01, 1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	22	NW	SW			BLAINE
			SW	SE		R	BLAINE

5. Description of diverting works:
FLEMING #34 HEADGATE FROM BROADFORD SLOUGH TO ROCKWELL BYPASS CAN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	22	NW	SE		IRR	10.0

Section Acres 10.0

A37-00882

Page 1

Date: 10/19/89

MICROFILMED
MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	27	SE	NE	IRR	26.0
			NE	SW	IRR	12.0
Section Acres						38.0
Total Acres						48.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN-
JECTION NOT LISTED.

|
CHANGE OF OWNERSHIP*****

WARRANTY DEED ATTACHED, ORIGINALS FILED WITH A37-00707
(10-19-1989 SCC)

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/16/1913

CAMPBELL

Decree Plaintiff

vs

MIZER

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 _____

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): A37-00707, A37-00882, A37-04185, A37-12249

[] Name and Address of
Former Claimant:

Warren S. Tenney

598 Madison Avenue

New York, New York 10022

[] New Claimant(s):

Nick Vanoff Presents, Inc.

a California corporation

[] New Mailing Address:

c/o Nick Vanoff, Jr.

P.O. Box 834

Sun Valley, ID 83353

New Telephone Number: (208) 726 - 9572

[] Does the change in ownership result in a splitting of the
water right claimed? yes XX no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[X] Attach proof of ownership

Describe proof attached: Warranty Deed

[] Signature of New Claimant(s):

Date:

6/12/89

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-19-89

By: SCC

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

RECEIVED

OCT 13 1989

Department of Water Resources
Southern Region

MICROFILMED
MAR 01 1993

WARRANTY DEED

For Value Received

WARREN S. TENNEY and JUDY E. TENNEY, husband and wife

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

NICK VANOFF PRESENTS, INC., a California Corporation

the grantees, whose current address is 1438 N. Gower St., Hollywood, CA. 90028

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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

308037
Sun Valley Title Co.
BLAINE CO. REQUEST
OF: *Doc*
09 JUL 28 PM 2 54
MARY GREEN, CLERK
FEES \$100

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owner s 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 20, 1989

Warren S. Tenney
Warren S. Tenney

Judy E. Tenney
Judy E. Tenney

STATE OF IDAHO
COUNTY OF *Blaine*
On this *20th* day of *July*, in the year 19*89*, before me, a Notary Public, personally appeared *Warren S. Tenney & Judy E. Tenney* known or identified to me to be the person who's name is subscribed to the within instrument, and acknowledged to me that they executed the same.

Mark S. Mink
Notary Public
Residing at *Blaine*, Idaho,
Commission Expires *12-1-94*

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of

At this *19* minutes past *2* o'clock M., day of *July*, 19*89*, in my office, and duly recorded in Book of Deeds at page

By _____ Ex-Officio Recorder
Fees \$ _____ Deputy

Mail to:

Chicago Title Insurance Company of Idaho

MICROFILMED
MAR 01 1993

Standard Form No. 574 (1-82)

EXHIBIT "A"

Lots 2, 3 & 4 of TENNEY-ANDERSON SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof on file in the office of the County Recorder, recorded July 2, 1987, as Instrument No. 285645, records of Blaine County, Idaho.

also

TOWNSHIP 2 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 22: SW $\frac{1}{4}$ NE $\frac{1}{4}$;

All of the NW $\frac{1}{4}$ EXCEPTING THEREFROM the following described tracts of land:

Beginning at the Northwest corner of the NW $\frac{1}{4}$ of said Section 22, and running thence East 1375 feet; thence South 29°30' East 627 feet; thence South 25° East 394 feet; thence West 1850.3 feet to the section line; thence North along said section line 902.8 feet to the Place of Beginning.

And also EXCEPTING all of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying North of the existing canal.

Together with 80 miner inches of water from the Big Wood River with a decree dated July 10, 1884, said decree being in Book 6 of Judgments, page 466 of the Blaine County, Idaho, records.

SECTION 22: E $\frac{1}{2}$ SW $\frac{1}{4}$;

All of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPTING THEREFROM the following described tract of land:

Beginning at the Southeast corner of said Section 22; thence South 86°27' West 1091.5 feet; thence North 21°57' West 277.59 feet; thence North 17°33' West, 83.03 feet; thence North 17°19' West 642.2 feet; thence North 62°30' West 138.3 feet to the true point of beginning; thence South 1°45' East 60.0 feet; thence South 89°37' West 1057.6 feet; thence North 1°45' West 519.2 feet; thence South 86°17' East 726.2 feet; thence South 36°04' East 194.6 feet; thence South 43°11' East 339.7 feet to the point of beginning.

SECTION 22: All that portion of the S $\frac{1}{4}$ SE $\frac{1}{4}$ lying West of the Broadford Road.

EXCEPTING THEREFROM a strip of land sixty (60) feet wide being thirty (30) feet left and thirty (30) feet right of the following described centerline located within Section 22, T.2N., R.18E., B.M., Blaine County, Idaho, more particularly described as follows:

Commencing at an aluminum cap marking the North one-quarter corner of said Section 22, which point lies North 45°04'56" East 3753.85 feet from a brass cap marking the West one-quarter corner of said Section 22; thence South 8°53'14" East 3259.74 feet to centerline station 2 + 00, which point is the REAL POINT OF BEGINNING; thence North 7°36'24" East 128.16 feet to centerline station 3 + 28.16, which point is a point of curvature; thence 216.18 feet around a curve to the left with a central angle of 24°51'40", a tangent of 109.82 feet, a radius of 498.22 feet, and a long chord of 214.49 feet that bears North 4°49'26" West to a point of tangency at centerline station 5 + 44.34; thence North 17°15'16" West 327.57 feet to centerline station 8 + 71.91, which point is a point of curvature; thence 422.07 feet around a curve to the left with a central angle of 48°32'17", a tangent of 224.63 feet, a radius of 498.22 feet, and a long chord of 409.56 feet that bears North 41°31'24" West to a point of tangency at centerline station 12 + 93.98, which point is the point of ending of said right-of-way parcel.

MAR 01 1993

cont.

ALSO EXCEPTING THEREFROM a tract of land in the West 1/4 of the Southeast 1/4 of Section 22, Township 2 North, Range 18 E., B.M., more particularly described as follows:

Beginning at the Southeast Corner of said Section 22; thence S. 86°27' W., 1091.50 feet; thence N. 21°57' W., 277.59 feet; thence N. 17°33' W., 83.03 feet; thence N. 17°19' W., 642.20 feet; thence N. 62°30' W., 138.30 feet; thence N. 339.70 feet to the TRUE POINT OF BEGINNING; thence W. 190.00 feet; thence N. 194.60 feet; thence E. 190.00 feet; thence S. 194.60 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM TENNEY-ANDERSON SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof on file in the office of the County Recorder, recorded July 2, 1987, as Instrument No. 285645, records of Blaine County, Idaho.

EXCEPTING THEREFROM; a tract of land in the W1/4SE1/4 of said Section 22 described as follows:

Beginning at the Southeast corner of said Section 22; thence South 86°27' West 1091.5 feet; thence North 21°57' West 277.59 feet; thence North 17°33' West 83.03 feet; thence North 17°19' West 642.2 feet; thence North 62°30' West 138.3 feet to the true point of beginning; thence South 1°45' East 60.0 feet; thence South 89°37' West 1057.6 feet; thence North 1°45' West 519.2 feet thence South 86°17' East 726.2 feet; thence South 36°04' East 194.6 feet; thence South 43°11' East 339.7 feet to the point of beginning;

ALSO EXCEPTING a tract of land in the S1/4SE1/4 of said Section 22 described as follows:

Beginning at the Southeast corner of said Section 22; thence South 86°27' West 1091.5 feet; thence North 21°57' West 277.59 feet; thence North 17°33' West 83.03 feet; thence North 71°53' West 1.0 feet; thence North 18°07' West 300.0 feet to the true point of beginning; thence North 18°57' West 209.3 feet; thence North 34°10' West 161.45 feet; thence South 89°47' West 337.65 feet; thence South 18°07' East 467.8 feet; thence North 71°53' East 370.0 feet to the point of beginning.

ALSO EXCEPTING a tract of land in the S1/4SE1/4 of said Section 22 described as follows: Beginning at the Southeast corner of said Section 22; thence South 86°27' West 1091.5 feet; thence North 21°57' West 277.59 feet; thence North 17°33' West 83.03 feet thence North 71°53' West 1.0 feet to the true point of beginning; thence North 18°07' West 300.0 feet; thence South 71°53' West 370.00 feet; thence South 18°07' East 300.0 feet thence North 71°53' East 370.0 feet to the true point of beginning.

SECTION 27: Lot 1 (NW1/4NE1/4);

All those portions of the NE1/4NE1/4, Lot 5 (SE1/4NE1/4) and Lot 6 (NE1/4SE1/4) lying West of the Bradford Road;

ALSO EXCEPTING a tract of land in said Sections 22 and 27 described as follows: Beginning at a point South 86°27' West 1091.5 feet from the Northeast corner of Section 27, at which point there is located a steel pin, which is the true point of beginning; running thence in a northwesterly direction North 21°57' West a distance of 22 feet to a point where the boundary line between Sections 22 and 27 intersects said line and continuing on said line a distance of 255.59 feet to a steel pin; thence North 17°33' West a distance of 83.03 feet to a steel pin; running thence South 71°53' West a distance of 369 feet to a steel pin; running thence South 18°07' East a distance of 210 feet to the intersection of the boundary line of Sections 22 and 27; continuing thence along said line a distance of 150 feet to a steel pin; running thence North 71°53' East a distance of 387.74 feet to the true point of beginning;

FILED
MAR 8 1993

cont.

Together with 200 miner inches of water from the Big Wood River with a decree dated June 1, 1883, the decree being recorded in Book 7 of Judgments, page 121 of the records of Blaine County, Idaho.

Except any and all mineral rights appurtenant to the above described properties.

EXCEPTING THEREFROM any portion thereof of the QUEEN BESS Patented Mining Claim as disclosed in Survey recorded December 18, 1984, as Instrument No. 259092, records of Blaine County, Idaho; and EXCEPTING THEREFROM any portion of the County Road known as Broadford Road.

INCLUDING but not limited to any and all water rights which are appurtenant to the above described real property.

MICROFILMED

MAR 01 1993

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: A37-00882

Date Received: 12/12/1988

Receipt No: C003854

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARREN S. TENNEY
Address: 598 MADISON AVE.
NEW YORK, NY

212-832-4903

10022

2. Date of Priority: JUN 01, 1883

3. Source: BIG WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	22	NW	SW	SE		BLAINE
			SW	SE		R	BLAINE

5. Description of diverting works:

FLEMING #34 HEADGATE FROM BROADFORD SLOUGH TO ROCKWELL BYPASS CAN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

7. Total Quantity Appropriated is:

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

A.F.A.

8. Total consumptive use is

120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	22	NW	SE		IRR	10.0

Section Acres 10.0

A37-00882

Page

1

Date: 12/19/88

MICROFILMED
MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	27	SE	NE		IRR	26.0
			NE	SW		IRR	12.0
						Section Acres	38.0
						Total Acres	48.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

RIGHT ORIGINALLY DECREED TO FRANK & SARAH CAMPBELL. POINT OF IN-
JECTION NOT LISTED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/16/1913

CAMPBELL

Decree Plaintiff

vs

MIZER

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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name
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 _____

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: 39356
Ident Number A37-00882
Date Received 10/25/88
Receipt Number 0003854

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 25 1988

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Warren S. Tenney
Phone: (212) 832-4903
Mailing Address: 598 Madison Avenue
New York, NY 10022
2. Date of Priority: June 1, 1883
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	18E	22		NW	SW		Blaine
2N	18E	22		SW	SE		Blaine

Additional points of diversion if any: See above.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Fleming 34 Headgate from the Broadford Slough to the Rockwell Bypass Canal; flood irrigation.

MICROFILMED

MAR 01 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	4.0 cfs

7. Total Quantity Claimed: 4.0 cfs

8. Total consumptive use claimed is 120 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
2N	18E	22	NW	SE	I	10
2N	18E	27	SE	NE	I	26
2N	18E	27	NE	SW	I	12

Total number of irrigated acres: 48

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? None.

14. Remarks: Right originally decreed to Frank & Sarah Campbell in Campbell v. Mizer. Place of use is claimed pursuant to Idaho Code §42-1416(1) to the extent it differs from the decree. Soil is extremely pourous - gravelly, sandy loam - Little Wood River Series.

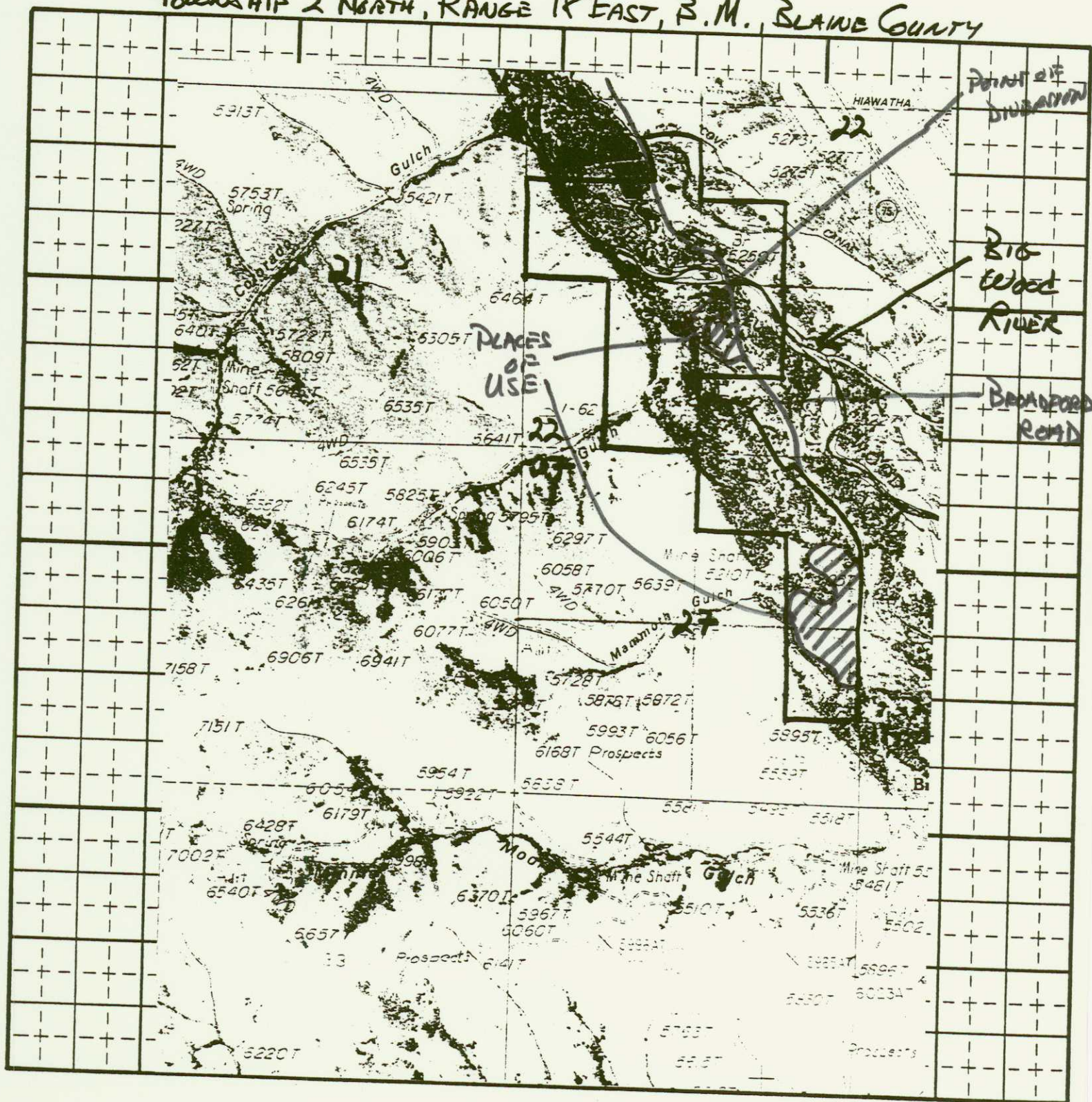
Last Name: Tenney

Ident No. _____

MICROFILMED
MAR 01 1993

Scale: 2 inches equals 1 mile

TOWNSHIP 2 NORTH, RANGE 18 EAST, B.M., BLAINE COUNTY



TENNEY

Ident No.

MICROFILMED

MAR 01 1993
White State, Yellow

Copies: White-State, Yellow-Claimant

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0882
Court: Blaine County
Case Number:
Decree Date: June 16, 1913
Plaintiff v. Defendant:
Campbell v. Mizer

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Warren S. Tenney, by Date 10/24/88
James P. Speck, his Date _____
attorney-in-fact

State of Idaho)
County of Blaine) ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public Ruby M. Beaker
Residing at Sun Valley, ID
Commission Expires 11/17/93

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/24/88

Last Name: Tenney
a:\tenney2.clm

Ident No.: _____

MICROFILMED
MAR 01 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Tenney

DATE RECEIVED 10/25/88

CK # 8644

CLAIM INT. NO. A37-00882

AMOUNT \$ 597.00

1. Is the name and address complete with zip code? YES ☒ NO ☐
2. Is a priority date entered? YES ☒ NO ☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

Decreed.

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? ☒ N/A
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. ☒ N/A
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. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒
- Has the claim been signed, sealed, and dated by a notary? ☒
- Was this claim filed on time, or was an extension granted? ☒
- Is the fee enclosed correct? ☒ Exempt
- If this claim is based on an existing water right, has the identification number been entered? ☒ N/A
- Should this claim be receipted and data entered? ☒

notice of appearance

Claim checked by:

MICROFILMED
MAR 01 1993

Comments:

Idaho Department of Water Resources Receipt

Receipt ID S024981

Payment Amount Date Received Region Status

Payment Type Check Number

COPY

Payer

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$17.00	ADJUDICATION FILING FEE	0337	44503	1155	


Signature Line (Dept. Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 6, 2002

Brockway Engineering, PLLC
2016 Washington St N, Ste. 4
Twin Falls ID 83301

RE: AMENDED CLAIMS 37-707, 37-882, & 37-4185 (Vanoff-Bend of the River)

Dear Sirs,

Enclosed is your receipt and copies of the amended claims for your records. Please look them over carefully and let me know if there are any corrections or if you have any questions. (I am also sending copies to the claimant.)

Thanks for sending the disc with the shape files, it should be very helpful when we begin our review of Basin 37!

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 6, 2002

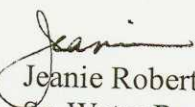
Nick Vanoff Jr.
PO BOX 834
Sun Valley ID 83353

RE: AMENDED CLAIMS 37-707, 37-882, & 37-4185 (Bend of the River)

Dear Mr. Vanoff,

Enclosed are copies of the receipt (for the additional acres) and the amended claims referred to above. Brockway Engineering recently submitted these amendments on your behalf. These copies are for your records. Please look them over carefully and let me know if there are any corrections or if you have any questions.

Sincerely,


Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 22, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BROCKWAY ENGINEERING, PLLC
2016 WASHINGTON STREET N, STE. 4
TWIN FALLS, ID 83301

Re: Amended SRBA claims – Bend of the River Ranch (37-707, 37-4185 & 37-882)

Dear Sirs,

I am returning your check #3699 in the amount of \$166.00 to amend these claims. You included \$150 (\$50.00 per claim) in late fees. Late fees are not required to AMEND claims. Since there are 16.4 additional acres involved in the amendments, we will need a check for \$17.00 only to complete the process. Please send a check for this amount and we will amend the claims as requested and send copies to the claimant.

Could you also send copies of the **shape-files** you created for the Place of Use, **on a disc**? It would be a lot easier to have them than to try and recreate them on our computers.

Thank you and feel free to give me a call at the office if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

37-707 (then)

02N 18E 22 SWNE 23
NENW 9
SENW 17
49

+13.5Ac

(now)

NWNE 1.5
SWNE 28.1
NENW 18.4
NWNW .5
SENW 13.1
NWSE .9
62.5

37-882 (then)

02N 18E 22 NWSE 10
27 SENE 26
NESW 12
48

+2.9Ac

(now)

S22 NESW 3.7
SESW 2.0 } 9.8
NWSE 2.1
S27 NENE 4.9
SENE 26.2 } 41.1
NESE 10.0
50.9

37-4185 (then)

02N 18E 22 SWNE 23
NENW 9
SENW 17
49

(now)

SWNE 19.8

= 16.4 EXTRA ACRES



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 29 2002

Department of Water Resources
Southern Region

April 26, 2002

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

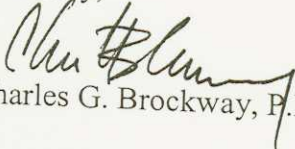
Re: Amended SRBA claims – Bend of the River Ranch
Project No. 507-02-2001

Dear Allen:

Enclosed are amended claims for water rights 37-0707, 37-4185, and 37-0882. These rights are appurtenant to the Bend of the River Ranch, owned by Nick Vanoff. The amendments are necessary to bring the claimed amounts and irrigation location in line with historical usage.

I am including a late claim fee of \$150 (\$50 per claim) plus \$16 for acres above the 97 that were originally claimed.

Sincerely,


Charles G. Brockway, P.E.

Enc: SRBA claims for 37-0707, 37-4185, and 37-0882
cc: Nick Vanoff c/o Laurie Wright
Barry Lubovski
Pete Bloomfield

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

OCT 15 1993
Department of Water Resources
Southern Region Office

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

I, Warren S. Tenney, of Blaine County, Idaho, designate and appoint James P. Speck, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 19th day of September, 1988.

Warren S. Tenney
Warren S. Tenney

STATE OF New York)
~~Idaho~~) ss.
County of New York)
~~Blaine~~

On this 19th day of September, 1988, before me, the undersigned notary public in and for said state, personally appeared Warren S. Tenney, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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

Mindi Schwartz
Notary Public for ~~Idaho~~ New York
Residing at: New York

MINDI I. SCHWARTZ
Notary Public, State of New York
No. 30-4932466
Qualified in Nassau County
Certificate Filed in New York County
Commission Expires May 2, 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Oct. 24, 1989

NICK VANOFF PRESENTS INC
A CALIFORNIA CORPORATION
• C/O NICK VANOFF JR
• P O BOX 834
• SUN VALLEY ID 83353

Re: A37-00707

A37-00882

A37-04185

A37-12249

Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 01 1993