

04/07/2004

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

RIGHT NUMBER: 23-19B

NAME AND ADDRESS: GLEN H BILLS
15131 VERMONT ST
WESTMINSTER CA 92683

CAROL W BILLS
15131 VERMONT ST
WESTMINSTER CA 92683

SOURCE: RAINEY CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 04/15/1889

POINT OF DIVERSION:

T02N R44E S33 SESESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
1.600 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S05	NESE	30.0	T01N R44E S05	NWSE	31.0
T01N R44E S05	SWSE	40.0	T01N R44E S05	SESE	39.0

140 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 140.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-19B, 29-47A, 29-92.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-19B, 29-47A, 29-92.

02/20/2004

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

RIGHT NUMBER: 23-19B

NAME AND ADDRESS: GLEN H BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740

CAROL W BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740

SOURCE: RAINEY CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 04/15/1889

POINT OF DIVERSION:
T02N R44E S33 SESESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.600 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S05	NESE	30.0	T01N R44E S05	NWSE	31.0
T01N R44E S05	SWSE	40.0	T01N R44E S05	SESE	39.0

140 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 140.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-19B, 29-47A, 29-92.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-19B, 29-47A, 29-92.

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: A23-00019B
Date Received: 8/25/1989
Receipt No: E009979
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GLEN H BILLS
Address: 154 ELECTRIC AVE
SEAL BEACH CA

90740

310-430-6655

AND/OR

Name: CAROL W BILLS
Address: 154 ELECTRIC AVE
SEAL BEACH CA

90740

310-430-6655

2. Date of Priority: APR 15, 1889

3. Source: RAINEY CREEK, UPPER

Trib. to: SNAKE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	44E	33	SE	SE	SW		BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

A.F.A.

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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APR 11 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	44E	5	NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	35.0
			SE		SE		IRR	35.0
							Section Acres	140.0
							Total Acres	140.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
23-00092, 00047A

14. Remarks:
TRANS. 383.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL.
vs Decree Defendant

MICROFILMED

APR 11 1994

190
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: A23-00019B
Date Received: 8/18/1989
Receipt No: 6009979
Received By: SE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARGARETE HOWARD 208-483-3361
Address: P.O. BOX 25
SWAN VALLEY, ID 83449
OR
Name: WEEKS BROTHERS 208-483-3361
Address: C/O STEVE WEEKS
P.O. BOX 25
SWAN VALLEY, ID 83449

A2300019B



2. Date of Priority: APR 15, 1889

3. Source: RAINEY CREEK, UPPER Trib. to: SNAKE RIVER, SOUTH I

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	44E	33	SE	SE	SW		BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A23-00019B

Page 1

Date: 08/18/89

MICROFILMED
NOV 07 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	44E	5	NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	35.0
			SE		SE		IRR	35.0
							Section Acres	140.0
							Total Acres	140.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
23-00092, 00047A

14. Remarks:
TRANS. 383.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of Weeks Bros Inc Organization, that I have signed the foregoing document in the space below as President of Weeks Bros Inc Organization and that the statements contained in the foregoing document are true and correct.

Steve Weeks
Signature of Authorized Agent

Pres Weeks Bros Inc
Title and Organization

8/25/89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of August 19 89

Ed Stein
Notary Public
COMMISSION AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994

Seal

Residing at _____

My Commission Expires _____

02/20/2004

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-19B

GLEN H BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740
Telephone Number: (310)430-6655

CAROL W BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740
Telephone Number: (310)430-6655

15131 Vermont St
Westminster 92683
CA

4/7/04 Done

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

1 I AGREE with this proposed recommendation; no changes need to be made.

DATE:

3/24/04

SIGNATURE:

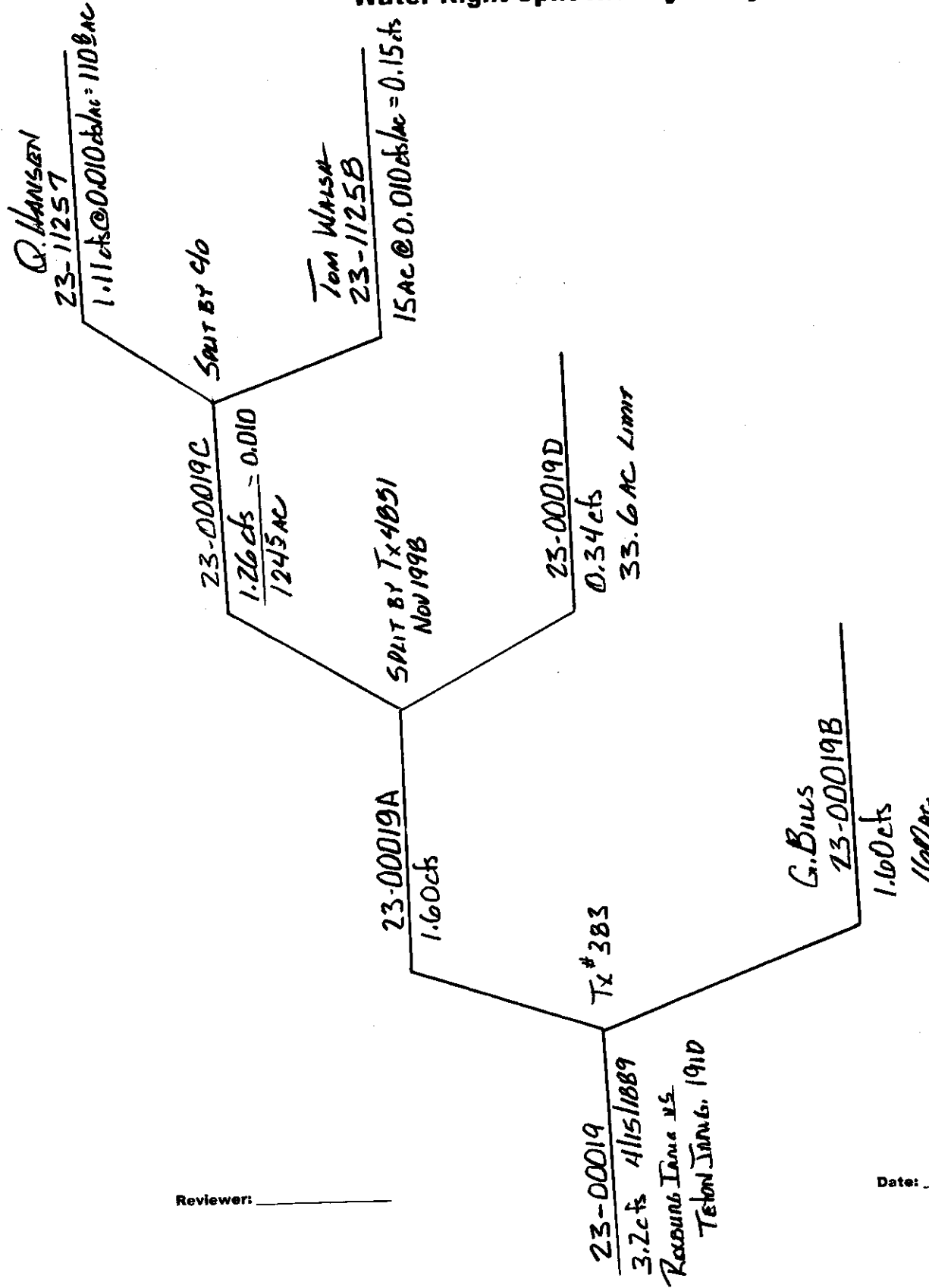
Glen H Bills

Please print your name:

Glen H Bills

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Water Right Split History Analysis



CLAIMED IN-FULL

Reviewer: _____

Date: _____

04/03/2002

Contacts Data Entry Form

Water Right No. 23-19B

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner CLAREN BILLS

Name connector: and _____, or _____, and/or _____ C/O TO BILLS 2/93

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

DECREED UNDER KUTZBURG JUDG IS TOTAL TRNG AS
61 TO A. J. BERNARD: 160" (3.2 cfs), April 15, 1889.

RIGHT SPLIT BY TRANSFER #383 AS A AND B.

23-19 A FURTHER SPLIT TO C AND D.

23-19B - ORIGINALLY CLAIMED BY WEEKS BROS- AS
160 cfs ON 140² AC - C/O TO BILLS 2/93

THIS PART B IS OVERCLAIMED AS DIV RATE/AC UNLESS
AC LIMITS ARE IMPOSED W/ OVERLAPPING RTS. - 508
23-92 AND 47A. =

Ac Limits Apply

DO W/ 47A AND 92.

4/17/03 FB INDICATED: PDD, POU, System

Reviewer: _____

Date: _____

CORNER OF RAINIER CR RD

POU

JANIN RD

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 4/15/1889 Claimed Basis: DocusedRecommended Priority Date: 4/15/1889 Recommended Basis: Docused☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Matches Docuse

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 2N, R 44E, Sec. 33, SE, SE, SW. County: BONNEVILLESource: RAINOV CK Tributary: Snake River

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT ADDRESSSED BY DEGRASS, DETAILED BY TX #383
AS SWNNWN Sec. 4 T1N R44E. Claims T2N R44E Sec. 33
SESESW.

cφ3

Transfers Changing POD _____

Reviewer: _____

Date: _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 383

23-19-A
B

This is to certify that Samuel J. Weeks, of Swan Valley, County of Bonneville, State of Idaho, has a right to the use of the waters of Rainey Creek, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Bonneville, in the case of Rexburg Irrigation Company, et al, plaintiffs, vs. Teton Irrigation Canal Company, et al, defendants, J. E. Stevens, District Judge, wherein 3.2 second feet of the waters of Rainey Creek, in Water District No. 36, were decreed to Alfred Joseph Bernard for the irrigation of the SE¹ of SE¹, Section 6; NE¹ of NE¹, Section 7; S¹ of SW¹, Section 8 and the NE¹ of NW¹, Section 8, Township 1 North, Range 44 East of Boise Meridian, said right bearing date of priority of April 15, 1889; that said right has been entered in the records of the Department of Reclamation of the State of Idaho, at Boise, in Book 2 of Decrees, at page 450; that, upon the application of Samuel J. Weeks for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.6 second feet of the waters of Rainey Creek is hereby abandoned upon the lands above described and the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

1.6 s. c. ft., dated April 15, 1889									
	NE ¹	NW ¹	SW ¹	SE ¹	NW ¹	SW ¹	SE ¹	NW ¹	Total
Twp. Rge. Sec.	NE ¹ NW ¹ SW ¹	NE ¹ NW ¹ SW ¹ SE ¹	NE ¹ NW ¹ SW ¹ SE ¹	NE ¹ NW ¹ SW ¹ SE ¹	NE ¹ NW ¹ SW ¹ SE ¹	NE ¹ NW ¹ SW ¹ SE ¹	NE ¹ NW ¹ SW ¹ SE ¹	NE ¹ NW ¹ SW ¹ SE ¹	
1 N 44 E 5									1.6

That said waters are now diverted at a point on Rainey Creek in the SE¹ of SE¹, Section 5, Township 1 North, Range 44 East of Boise Meridian, but will hereafter be diverted at a point on said stream near the southwest corner of the NE¹ of NW¹ of Section 4, Township 1 North, Range 44 East of Boise Meridian.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

Witness the seal and signature of the Commissioner of Reclamation of the State of Idaho, at Boise, Idaho, this 7th day of July, 1926.

H. G. STANBORN,
Commissioner of Reclamation.

By _____ Assistant.

Part B

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
IN	44E	5	SE		BONN.		140	Fring.

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

POU NOT ADDRESSSED BY DUERGE BUT DETAILED IN TRANSFER # 383,
July 1926.

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Permit	4/1	11/1	1.60	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Permit	4/15	10/31		

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

SOU NOT ADDRESSED BY DECREE - L/SG 4/15 TO 10/31 DEPT. STD.

Reviewer: _____

Date: _____



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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

APRIL 7, 1993

GLEN H BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740

RE: CHANGE IN OWNERSHIP FOR A23-00047A, -00019B, -00092,
AND -10191

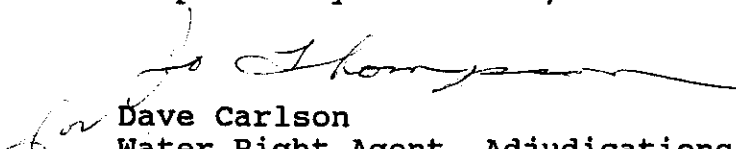
Dear Mr. Bills:

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

Enclosed are typed Notices 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 these Notices for your records.

Respectfully submitted,


Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Notices of Claim

cc: Margarete Howard/Change Ownership Form

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APR 11 1994

NOTED BY TELETYPE

APR 11 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 06 1993

Department of Water Resources
Eastern District Office

DATE OF CLOSING: July, 1992

LEGAL DESCRIPTION OF PROPERTY: Township 1 North Range 44 East
Section 5, 1/4 of 1/4 of s/e 1/4 Govt. Lot , BM. See attached
Lot , Block, , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet. for exception

- ☐ 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: A23-00047A; A23-00019B; A23-00092; A23-10191
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): MARGARETE HOWARD
PO Box 25
SUNN VALLEY, ID. 83449
- ☐ New Owner/Claimant (Purchaser): GLEN H. & CAROL W. BILLS
- ☐ New Mailing Address: 154 ELECTRA AVE. SEAL BEACH
SEAL BEACH, CA 90740
- ☐ New Telephone Number: (310) 430-6655
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Certified copy of Warranty Deed #832303

(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) Glen & Carol W. Bills Date 2/8/93
Carol W. Bills Date 2/8/93

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

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

MICROFILMED

APR 11 1994

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

POOR ORIGINAL

BONNEVILLE COUNTY

832303 WARRANTY DEED JUL 22 PM 1:47

RECEIVED

APR 0 1993

THIS INDENTURE is made this 21st day of July, 1992, by MARGARET R. HOWARD, not individually but as trustee of The 1989 MARGARET R. HOWARD TRUST, the Grantor, and GLEN H. BILLS and CAROL W. BILLS, husband and wife, whose mailing address is 131 North Tustin Avenue, Suite 209, Tustin, CA 92680, the Grantee.

Department of Water Resources
Eastern District Office

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Bonneville, State of Idaho, to-wit:

Township 1 North, Range 44 East of the Boise Meridian, Bonneville County, Idaho.

Section 5: SE1/4

EXCEPTING THEREFROM: Beginning 920 feet West of the Northeast Corner of the Southeast Quarter, Section 5, Township 1 North, Range 44 East of the Boise Meridian, Bonneville County, Idaho; running thence West 230 feet; thence South 100 feet; thence Northeasterly along a ditch to the point of beginning.

FURTHER EXCEPTING THEREFROM: Any highway or county road right of ways.

SUBJECT to:

(i) All existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

(ii) Reservations as contained in those certain Warranty Deed's recorded in Book 28 at Page 85 and Book 42 at Page 47 of Deed Records, records of Bonneville County, Idaho.

CERTIFIED TRUE COPY
4-5-93
Bonneville Land Title

MICROFILMED

APR 11 1994

POOR ORIGINAL

(iii) The effect, if any, of that certain Easement given by WEEKS BROTHERS, Inc. and THOMAS M. WEEKS to LOWER VALLEY POWER AND LIGHT, Inc. a cooperative Corporation, dated June 19, 1984, and recorded as Instrument No. 669566, records of Bonneville County, Idaho.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Margaret R. Howard
Margaret R. Howard, Trustee
of THE 1989 MARGARET R.
HOWARD TRUST

MICROFILMED

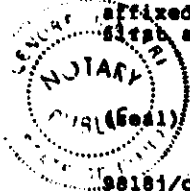
APR 11 1984

POOR ORIGINAL

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 2nd day of July, in the year 1992, before me,
the undersigned, a notary public in and for said state,
personally appeared MARGARET R. HOWARD, known or identified to
me to be the person whose name is subscribed to the within
instrument as Trustee of THE 1989 MARGARET R. HOWARD TRUST and
acknowledged to me that she executed the same as such Trustee.

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



[Signature]
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12/31/97

3 - WARRANTY DEED

INDEXED	833303
DATE	7-2-92
FILED	2064-50
[Signature]	
Request of	

MICROFILMED

APR 11 1994

Log for claim 23-00019B

Spatial Dynamics CAT

1/18/01

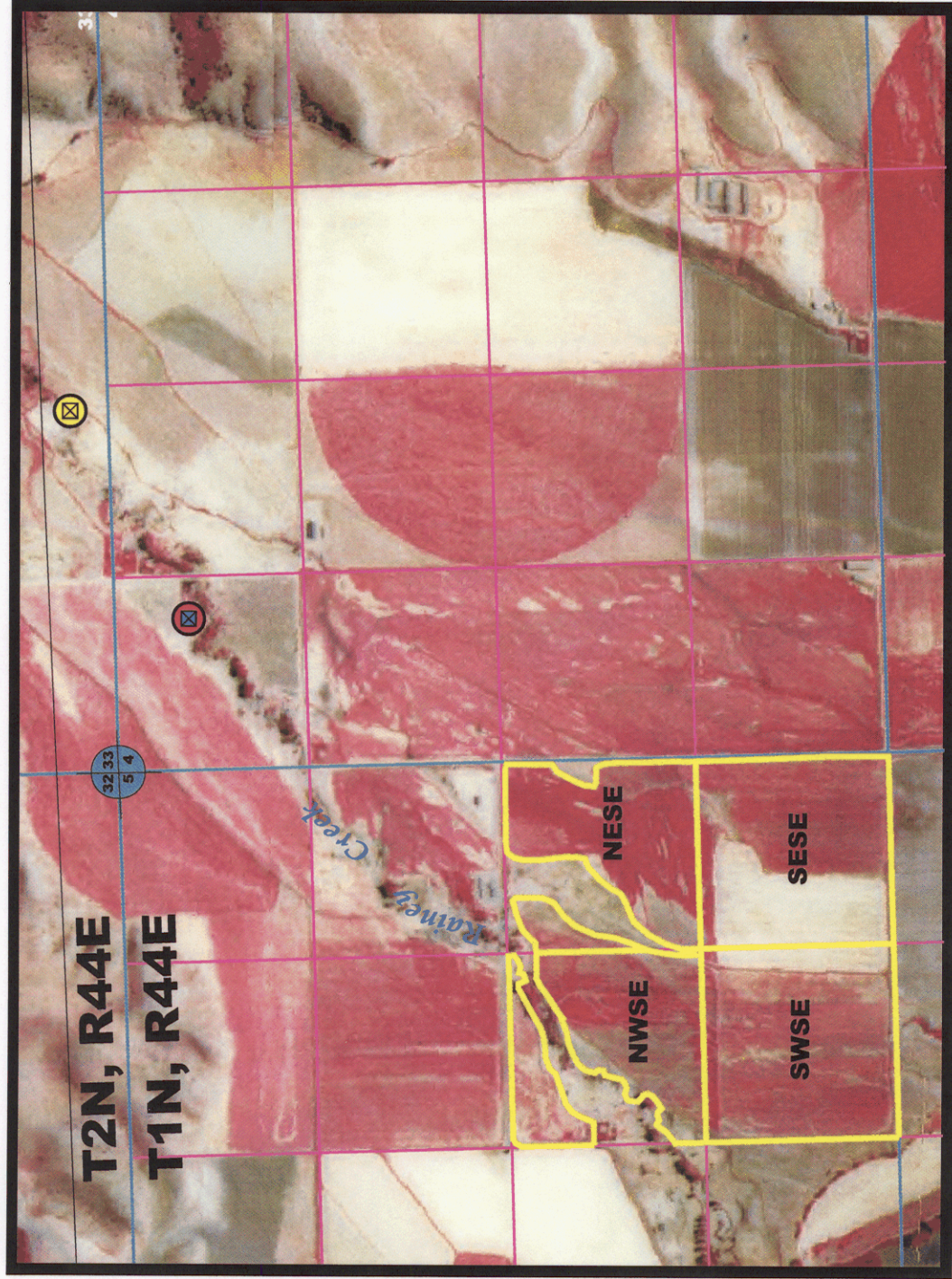
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	5	NESE	35	40	Indiscernible
01n44e	5	NWSE	35	39	Indiscernible
01n44e	5	SWSE	35	40	Indiscernible
01n44e	5	SESE	35	40	Indiscernible
Totals:			140	159	



State of Idaho

Department of Water Resources

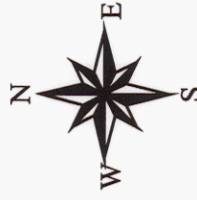
Eastern Region



Water Right(s):
23-00019B,
23-00047A,
23-00092

Place of Use: T1N, R44E
(parts of) Sec.5 SE

Point(s) of Diversion: T2N, R44E
Sec. 33 SESESW



LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 Feet

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: April 2003

T2N, R44E

T1N, R44E

32 33
5 4

Rainey Creek

Rainey

Snake / gnd

Ditch

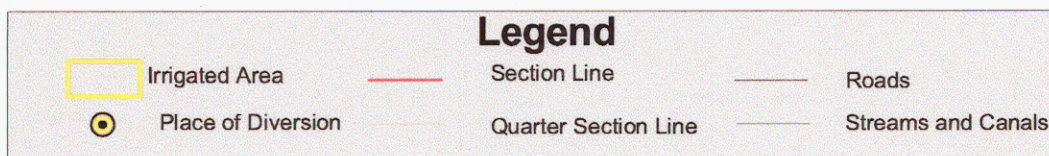
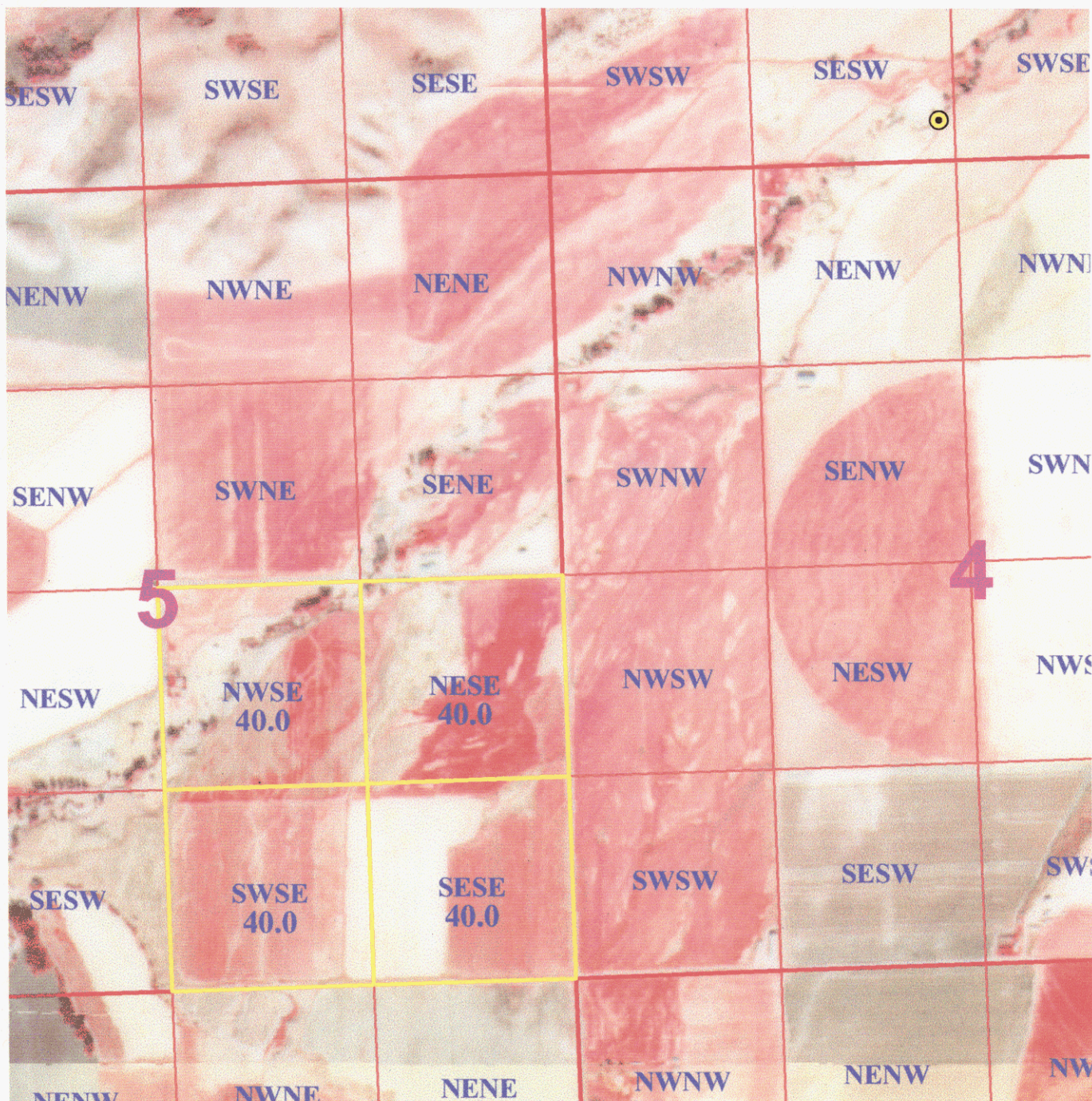
irrigated?

yes!

23-19B,
23-47A,
23-92

Water Right Claim Number 23-00019B
Township , 1N44E

01/18/2001



1000 0 1000 2000 3000 Feet



SPATIAL
DYNAMICS

T2N, R44E

T1N, R44E

32 33
5 4

Rainey
Creek



T2N R44E
STÜLTENBERG PLACE

SEC 32

DRY PASTURE

POINT OF DIVERSION
T2N R44E
SEC 33

92 ACRES IRRIGATED

POINT OF DIVERSION
T1N R44E
SEC 4

SEC 5

SEC CORNER

SEC 4

IRRIGATION
PUMP

Pump

Goettsche place

72 IRRIGATED ACRES
SEC 5

Buildings

DOMESTIC WELL

DOMESTIC WELL

COUNTY ROAD

RAINIER GR

TOM WEEKS
140 ACRES
IRRIGATED
T1N R44E
SEC 5

MICROFILMED

NOV 6 7 1992