

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-02436

2002 AUG 12 PM 1:43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: SHELLI BURTENSHAW
STEVEN BURTENSHAW
1202 N 1900 E
TERRETON, ID 83450-5209

SOURCE: GROUND WATER

QUANTITY: 5.10 CFS
892.50 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.02 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2012.5 AF. COMBINED RIGHT NOS.:
31-02436, 31-07023, 31-7065.

PRIORITY DATE: 10/04/1966

POINT OF DIVERSION: T05N R35E S10 SWSWSE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 11-01	5.10 CFS 892.50 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
	T05N R35E S09	SWNE 40.0 SENE 40.0 NWSE 40.0 SESE 40.0
	S10	SWNE 30.0 SWNW 40.0 NESW 40.0 NWSW 40.0 SWSW 40.0 SESW 40.0 NESE 21.0 NWSE 40.0 SWSE 34.0 SESE 10.0
	575.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 255 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 575 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-02436, 31-07023,
31-7065.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

05/29/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-2436
NAME AND ADDRESS: STEVEN BURTENSHAW
1202 N 1900 E
TERRETON ID 83450-5209

SHELLI BURTENSHAW
1202 N 1900 E
TERRETON ID 83450-5209

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.100 CFS
892.50 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 6.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
2012.5 AF. COMBINED RIGHT NOS.: 31-2436, 31-7023, 31-7065.

PRIORITY DATE: 10/04/1966

POINT OF
DIVERSION: T05N R35E S10 SWSWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 11/01	5.100 CFS 892.50 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R35E S09	SWNE	40.0	T05N R35E S09	SENE	40.0
T05N R35E S09	NESE	40.0	T05N R35E S09	NWSE	40.0
T05N R35E S09	SWSE	40.0	T05N R35E S09	SESE	40.0
T05N R35E S10	SWNE	30.0	T05N R35E S10	SWNW	40.0
T05N R35E S10	NESW	40.0	T05N R35E S10	NWSW	40.0
T05N R35E S10	SWSW	40.0	T05N R35E S10	SESW	40.0
T05N R35E S10	NESE	21.0	T05N R35E S10	NWSE	40.0
T05N R35E S10	SWSE	34.0	T05N R35E S10	SESE	10.0

575 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 575 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
31-2436. 31-7023, 31-7065.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 255 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

05/29/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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.

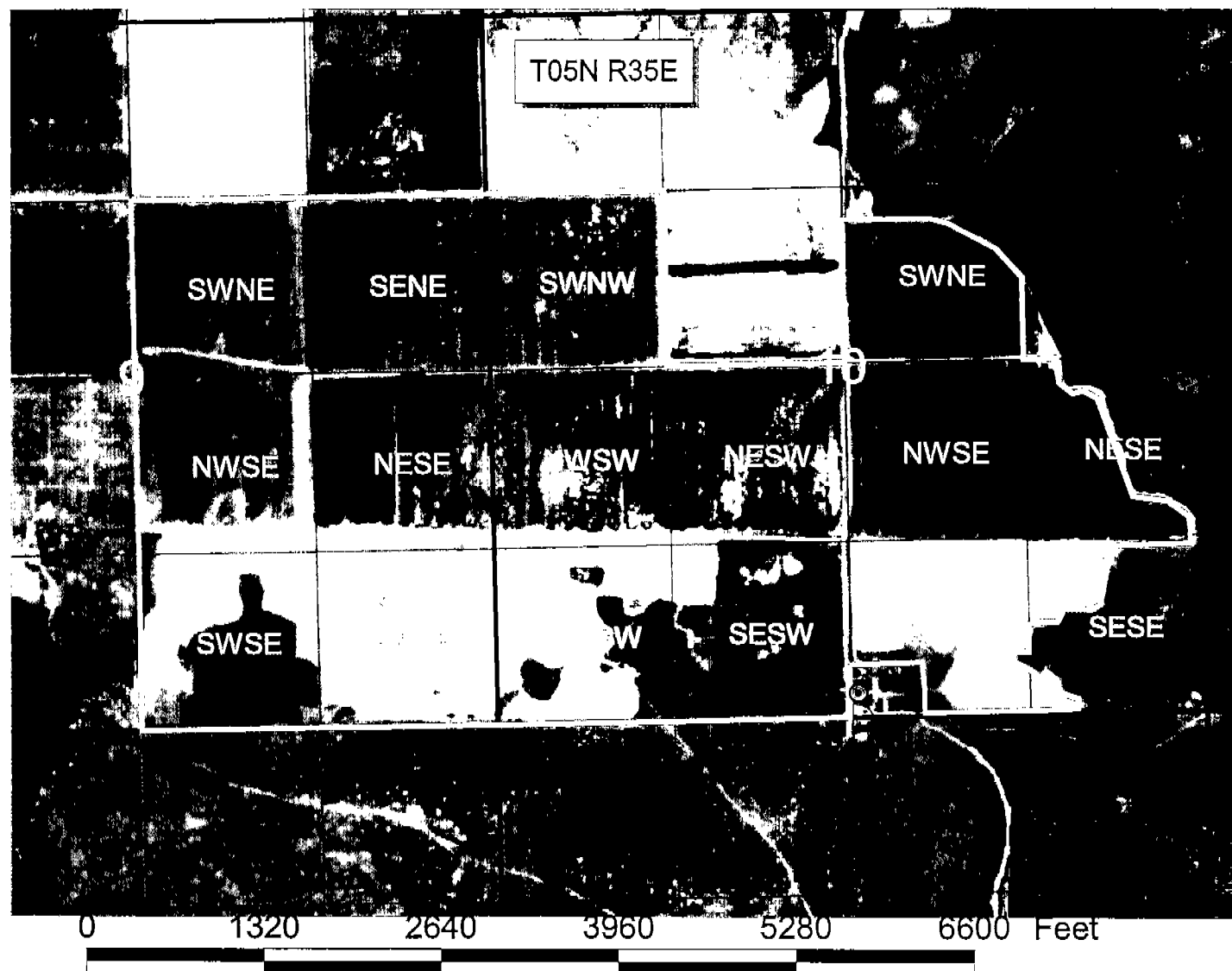
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-07023, 31-07065.



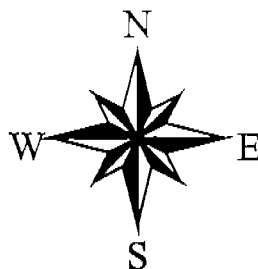
Department of Water Resources

Claim No.: 31-2436, 31-7023
SF5 31-7065



Irrigated Acres = 575

- Pod.shp
- Water rights.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: January 2002

01/10/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-2436
NAME AND ADDRESS: DALE H RICHINS
PO BOX 18
LEWISVILLE ID 83431

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.100 CFS
892.50 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2012.5 AF. COMBINED RIGHT NOS.: 31-2436, 31-7023, 31-7065.

PRIORITY DATE: 10/04/1966

POINT OF DIVERSION: T05N R35E S10 SWSWSE Within JEFFERSON County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	05/01 11/01	5.100 CFS 892.50 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R35E S10	SWNE	30.0	T05N R35E S10	SWNW	40.0
T05N R35E S10	NESW	40.0	T05N R35E S10	NWSW	40.0
T05N R35E S10	SWSW	40.0	T05N R35E S10	SESW	40.0
T05N R35E S10	NESE	~~20~~ 21.0	T05N R35E S10	NWSE	40.0
T05N R35E S10	SWSE	~~40~~ 34.0	T05N R35E S10	SESE	~~30~~ 10.0
T05N R35E S09	SWNE	40.0	T05N R35E S09	SENE	40.0
T05N R35E S09	NESE	40.0	T05N R35E S09	NWSE	40.0
T05N R35E S09	SWSE	40.0	T05N R35E S09	SESE	40.0
~~T05N R35E S10~~	~~SENE~~	~~2.0~~			

575 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 575 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-2436, 31-7023, 31-7065.

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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 - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

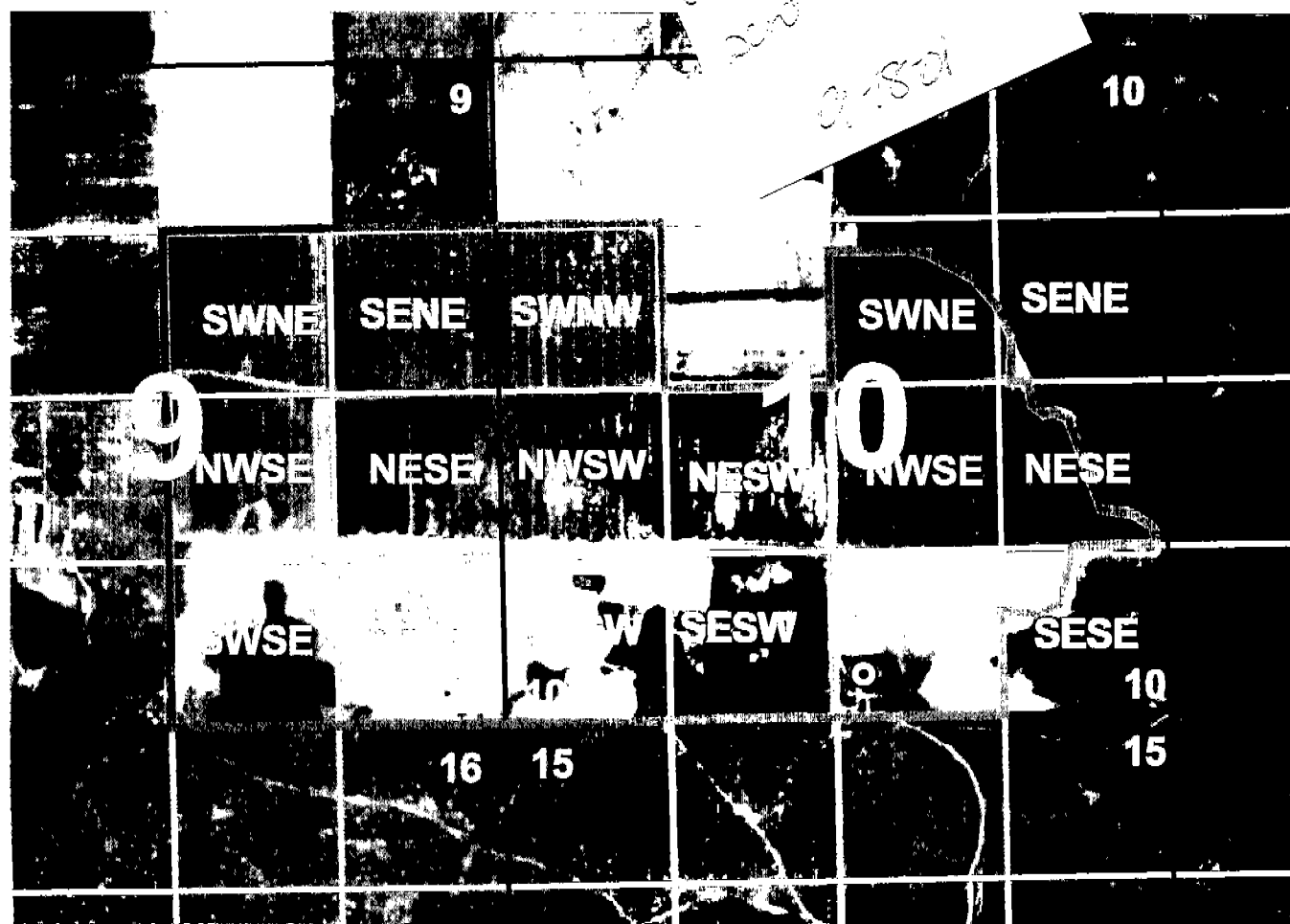
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-07023, 31-07065

IDAHO DEPARTMENT OF WATER RESOURCES

31-02436, 31-07023, 31-07065

T05N, R35E, SEC. 9

*Original claims
sent to court.
0-1801*



1320 0 1320 Feet



ACRES IRRIGATED- 575



PLACE OF USE



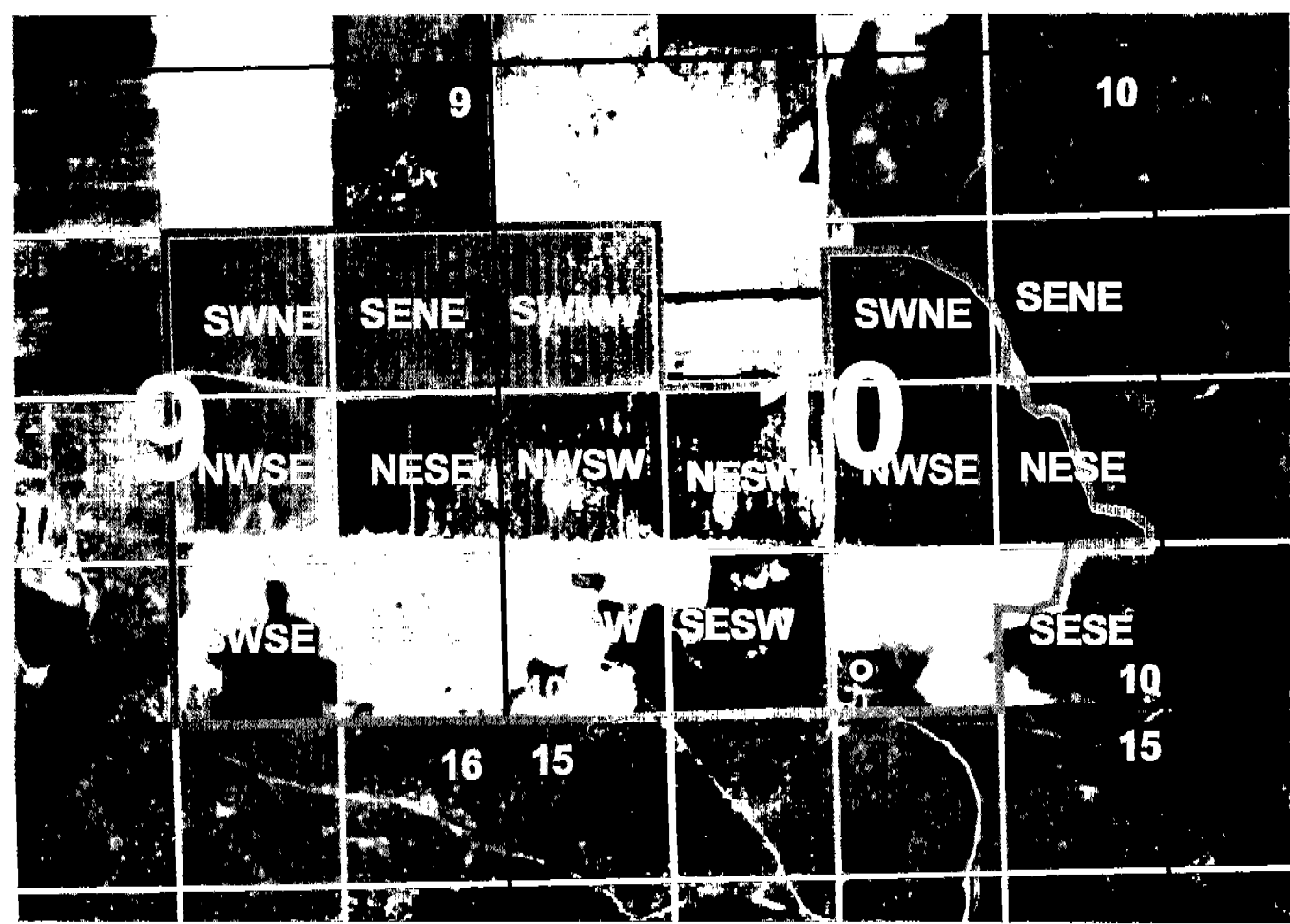
POINT OF DIVERSION

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

IDAHO DEPARTMENT OF WATER RESOURCES

31-02436, 31-07023, 31-07065

T05N, R35E, SEC. 9, 10



1320 0 1320 Feet



PLACE OF USE



POINT OF DIVERSION

ACRES IRRIGATED- 575

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

AJ0749NP
No. R31-02436

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

DATE: 02/10/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALE H RICHINS PO BOX 18 LEWISVILLE ID 83431 (208) 663-4976	10/04/1966	IRRIGATION	05-01 11-01	5.100 CFS	892.50 AFA
TOTAL DIVERSION:					5.100 CFS	892.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R35E S10 SWSE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	35E	9	:				40		40									40		40		40		240.0
05N	35E	10	:				30		02				40					40		40		40	03	335.0
TOTAL ACRES																						575.0		

POU County: JEFFERSON

Other Rights: A31-07023/07065

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.02 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2012.5 AF.
COMBINED RIGHT NOS.: 31-07023, 31-07065.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 255 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 575 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-07023, 31-07065.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 31-07023, 31-07065.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

AJ0749NP
No. A31-02436

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

DATE: 07/15/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALE H RICHINS PO BOX 18 LEWISVILLE ID 83431 (208) 663-4976	10/04/1966	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	5.10 CFS 0.04 CFS	
TOTAL DIVERSION:					5.10 CFS	
CONSUMPTIVE USE:						1525.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05N R35E S10

SWSE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
05N	35E	9	:					40	40	:						40	40	40	40	:	240.0	
05N	35E	10	:					30		:			40			40	40	40	40	:	370.0	
																			TOTAL ACRES		610.0	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
05N	35E	10	:							:										:	0

POU County: JEFFERSON

Non-Irrigation Uses: DOMESTIC - 1 HOME

Other Rights: A31-02436/07023/07065

Conditions of Approval:

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/7-15-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: E

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: A31-02436
Date Received: 11/21/1988
Receipt No: E004217
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MURDOCK & SCHMITT PARTNERSHIP 208-663-4579
Address: C/O MARK J MURDOCK
899 E 1800 N
MOUNTEVIEW ID 83435

Name: MURDOCK & SCHMITT PARTNERSHIP 208-663-4579
Address: C/O WILLIE SCHMITT
899 E 1800 N
MOUNTEVIEW ID 83435

2. Date of Priority: OCT 4, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	35E	10	SW	SE			JEFFERSON

5. Description of diverting works:
WELL & PUMP TO 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	5.100		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 1525.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
05N	35E	9	SW		NE		IRR	40.0	
			SE		NE		IRR	40.0	
			NE		SE		IRR	40.0	
			NW		SE		IRR	40.0	
			SW		SE		IRR	40.0	
			SE		SE		IRR	40.0	
					Section Acres			240.0	
			10	SW		NE		IRR	30.0
		SW			NW		IRR	40.0	
		NE			SW		IRR	40.0	
		NW			SW		IRR	40.0	
		SW			SW		IRR	40.0	
		SE			SW		IRR	40.0	
NE		SE			IRR	20.0			
NW		SE			IRR	40.0			
SW		SE			IRR	40.0			
SW		SE			DOMEST				
SE		SE			IRR	40.0			
				Section Acres			370.0		
			Total Acres			610.0			

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A31-02436/07023/07065

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 33575

MICROFILMED

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: A31-02436
Date Received: 11/21/1988
Receipt No: 6004217
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VANNES ANDERSON 208-678-2388
Address: BOX 789
BURLEY, ID 83318

2. Date of Priority: OCT 04, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	35E	10	SW	SE			JEFFERSON

5. Description of diverting works:
WELL & PUMP TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	5.100		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 1525.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	35E	9	SW	NE		IRR	40.0
			SE	NE		IRR	40.0

A31-02436

Page 1

Date: 11/21/88

MICROFILMED

NOV 17 1992

A3102436

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	35E	9	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					240.0
		10	SW		NE		IRR	30.0
			SW		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SW		SE		DOMEST	
			SE		SE		IRR	40.0
			Section Acres					370.0
			Total Acres					610.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A31-02436/07023/07065

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 33575

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): Vannek Anderson Date: _____
by John Mark Date: Nov 21

State of Idaho)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 21th day

of Nov 19 88

Betty Thompson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6-94

2

⑨

7.1 NHEL

⑩

131.5

⑪

6.6 NHEL

9158

P.L.

NHEL

⑫ NHEL

10.1

NHEL

14.0

⑩ NHEL

53.6

⑪ NHEL

13.9

9.0

⑫ NHEL

124.2

⑬ NHEL

19.9

⑭ NHEL

3.2

⑮ NHEL

3.8

⑯

2.1

⑰

15.1

⑨
7.1 NHEL

⑩
131.5

⑪
6.6 NHEL

9158

⑫ NHEL

⑬ NHEL
140.8

⑭ NHEL
250

⑮ NHEL
15.2

⑯ HEL
19.9

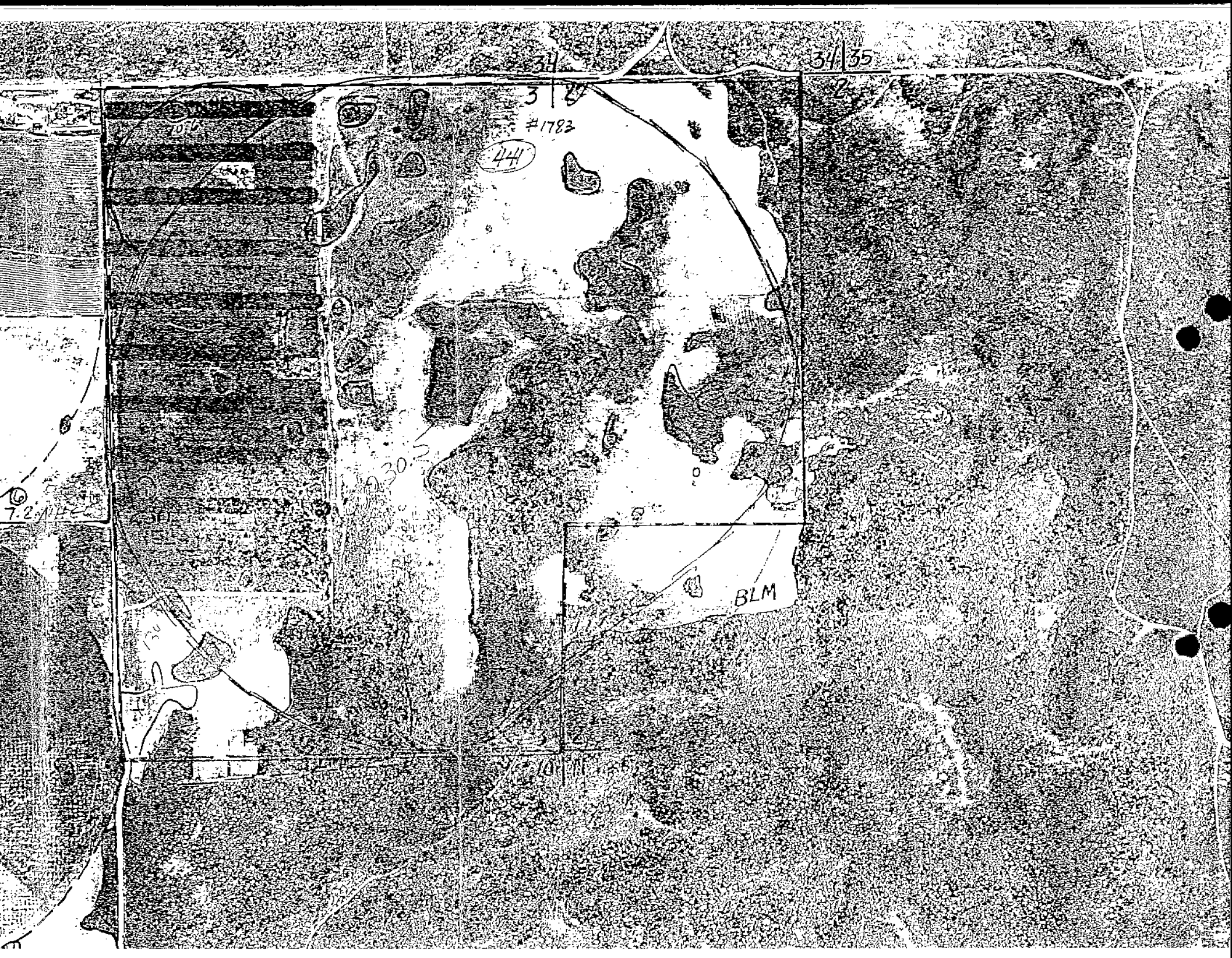
⑰ HEL
8.1

⑱ NHEL
53.1

⑲ NHEL
13.9
9.18

⑳ NHEL
124.2

㉑ HEL
3.8



34

34/35

3/84

#1782

44

BLM

30.5

7.2/11/84

33

34

34

34

35

#2889

(9159)

3

3

4

#1783

(44)

17.2

(1)

34.4

NHCL

(4)

29.1

NHCL

(5)

27.4

(6)

7.2

30.2

BLM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/15/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-92656

LAST: ANDERSON
ADDRESS: BOX 789
CITY: BOWLEY
PHONE NUMBER: 208-678-2388

FIRST: VANNES
STATE: ID ZIP: 83318

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS:

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

DATE OF FIELD EXAM: 3/14/93

ACCOMPANIED BY:

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

Final Review

PHONE NUMBER: () -

TIME: : A() P()

PHONE NUMBER: () -

A. AJ CLAIM: # A31-02436 PRIORITY DATE: 10-04-1956 STAGE: L

B. WR RECORD: # 51-02436 PRIORITY DATE: 10-04-1956 STAGE: L

C. FIELD EXAM REQUIRED?

DATABASE FIELD
EXAMINER

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() ~~N()~~
IF YES EXPLAIN.

NOTES:

as per water right license

RECOMMENDED PRIORITY DATE:
10-04-1956

REVIEWED BY *DC*

DATE 3/14/95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	R&E.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-02436	05N	35E	10		SW	SE		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A31-07023 NONE
A31-07065

NR RECORDS IN SAME 40 ACRE TRACT
31-07023
31-07065

SOURCE: GROUNDWATER

TRIG:

B. NR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	R&E.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-02436	05N	35E	10		SW	SE		JEFFERSON

OTHER NR RECORDS WITH SAME NR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A31-07023 NONE
A31-07065

31-07023
31-07065

SOURCE: GROUNDWATER

TRIG:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

NOTES:

Pod is ok

Map W90SW

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

IMP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
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---	---	---	---	---	---	---	---	---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DC

DATE:

3/14/95

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A31-02436

B. PDU LISTING

TWP	RMS	SEC	1/4	1/4	LOT	NAME	Rd #/ACRES	AP #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05N	35E	9	S4	NE		ANDERSON, VANNES	A31-02436 /40.0	- /	40.0		
			S4	NE		ANDERSON, VANNES	A31-07023 /40.0	- /		✓	40
			S4	NE		ANDERSON, VANNES	A31-07055 /40.0	31-07055 /40.0			
05N	35E	9	SE	NE		ANDERSON, VANNES	A31-02436 /40.0	- /	42.0		
			SE	NE		ANDERSON, VANNES	A31-07023 /40.0	- /		✓	40
			SE	NE		ANDERSON, VANNES	A31-07055 /40.0	31-07055 /40.0			
05N	35E	9	NE	SE		ANDERSON, VANNES	A31-02436 /40.0	31-02436 /40.0	40.0		40.0
			NE	SE		ANDERSON, VANNES	A31-07023 /40.0	- /		✓	40
			NE	SE		ANDERSON, VANNES	A31-07055 /40.0	- /			
05N	35E	9	N4	SE		ANDERSON, VANNES	A31-02436 /40.0	- /	38.0		
			N4	SE		ANDERSON, VANNES	A31-07023 /40.0	- /		✓	40
			N4	SE		ANDERSON, VANNES	A31-07055 /40.0	31-07055 /40.0			
05N	35E	9	S4	SE		ANDERSON, VANNES	A31-02436 /40.0	- /	24.0		
			S4	SE		ANDERSON, VANNES	A31-07023 /40.0	31-07023 /40.0	40		24
			S4	SE		ANDERSON, VANNES	A31-07055 /40.0	- /			
05N	35E	9	SE	SE		ANDERSON, VANNES	A31-02436 /40.0	- /	38.0		
			SE	SE		ANDERSON, VANNES	A31-07023 /40.0	31-07023 /40.0		✓	40
			SE	SE		ANDERSON, VANNES	A31-07055 /40.0	- /			
05N	35E	10	S4	NE		ANDERSON, VANNES	A31-02436 /30.0	31-02436 /32.0	30.0		
			S4	NE		ANDERSON, VANNES	A31-07023 /30.0	- /	32	✓	30.0
			S4	NE		ANDERSON, VANNES	A31-07055 /30.0	- /			
05N	35E	10	S4	NW		ANDERSON, VANNES	A31-02436 /40.0	- /	39.0		
			S4	NW		ANDERSON, VANNES	A31-07023 /40.0	- /		✓	40.0
			S4	NW		ANDERSON, VANNES	A31-07055 /40.0	31-07055 /40.0			
05N	35E	10	NE	SW		ANDERSON, VANNES	A31-02436 /40.0	31-02436 /40.0	38.0		
			NE	SW		ANDERSON, VANNES	A31-07023 /40.0	- /		✓	40
			NE	SW		ANDERSON, VANNES	A31-07055 /40.0	- /			
05N	35E	10	N4	SW		ANDERSON, VANNES	A31-02436 /40.0	31-02436 /40.0	40.0		40.0
			N4	SW		ANDERSON, VANNES	A31-07023 /40.0	- /			40
			N4	SW		ANDERSON, VANNES	A31-07055 /40.0	- /			
05N	35E	10	S4	SW		ANDERSON, VANNES	A31-02436 /40.0	- /	22.0		
			S4	SW		ANDERSON, VANNES	A31-07023 /40.0	31-07023 /40.0			32
			S4	SW		ANDERSON, VANNES	A31-07055 /40.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	#/ACRES	1/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05N	35E	10	SE	SW		ANDERSON, VANNES	A31-02436 /40.0	-	/	1.0	7.0
			SE	SW		ANDERSON, VANNES	A31-07023 /40.0	31-07023	/40.0		
			SE	SW		ANDERSON, VANNES	A31-07065 /40.0	-	/		
05N	35E	10	NE	SE		ANDERSON, VANNES	A31-02436 /20.0	31-02436	/19.0	19.0	21.0
			NE	SE		ANDERSON, VANNES	A31-07023 /20.0	-	/		
			NE	SE		ANDERSON, VANNES	A31-07065 /20.0	-	/		
05N	35E	10	N4	SE		ANDERSON, VANNES	A31-02436 /40.0	31-02436	/40.0	40.0	40.0
			N4	SE		ANDERSON, VANNES	A31-07023 /40.0	-	/		
			N4	SE		ANDERSON, VANNES	A31-07065 /40.0	-	/		40.
05N	35E	10	S4	SE		ANDERSON, VANNES	A31-02436 /40.0	31-02436	/40.0	27.0	32.0
			S4	SE		ANDERSON, VANNES	A31-07023 /40.0	-	/		
			S4	SE		ANDERSON, VANNES	A31-07065 /40.0	-	/		
05N	35E	10	S4	SE		ANDERSON, VANNES	A31-02436 /	31-02436	/40.0	27.0	Drop
			S4	SE		ANDERSON, VANNES	A31-07023 /40.0	-	/		
			S4	SE		ANDERSON, VANNES	A31-07065 /40.0	-	/		
05N	35E	10	SE	SE		ANDERSON, VANNES	A31-02436 /40.0	31-02436	/5.0	1.0	10.0
			SE	SE		ANDERSON, VANNES	A31-07023 /40.0	-	/		
			SE	SE		ANDERSON, VANNES	A31-07065 /40.0	-	/		
		TOTAL ACRES		A31-02436		610.00		293.00	507.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y (X) N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POJ COUNTY: JEFFERSON

SEC 10 SE NE 2
E04 (6.02) CFS
F06-
K06-255

PRESUMPTION FLAG: / COS

NOTES: ^{see}
ASCS map

Nepp: W90SW

CUB POU 31-07023, 7065

GIS MAP

RECOMMENDATIONS:

TOTAL ACRES:

~~510~~ 575

REVIEWED BY:

DL

DATE:

3/14/95

255

160

160

575 AC

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-02436 IRRIGATION	FROM 04-01 TO 11-01	5.100 CFS
A31-02436 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS DROP
TOTAL DIVERSION RATE/VOLUME CLAIMED		5.100 CFS

B. MR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-02436 IRRIGATION	FROM 05-01 TO 11-01	5.100 CFS 765.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		5.100 CFS 765.00 AF/A

PRESUMPTION FLAG: E

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	☒
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	☒
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	☒

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO MR STANDARDS OR OTHER?

Y(☒) N()

EXPLAIN IN NOTES, BELOW.

NOTES:

reauthorized as licensed
no domestic on license (Drop)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(~~X~~) N()

AJ TOTAL CLAIMED DIVERSION RATE: 5.100 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.100 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **

** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A31-02436/07023/07055

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-02436	GROUNDWATER	ANDERSON, VANNES	5.100	0.088		
A31-07023	GROUNDWATER	ANDERSON, VANNES	3.200	0.095		
A31-07055	GROUNDWATER	ANDERSON, VANNES	3.200	0.095		

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

1B. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1525.0 AF/A

ACRES 518 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 1295 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES 518 X DIVERSION VOL. AF/A FOR AREA 3.5 =
TOTAL DIVERSION VOLUME 1813 AF/A

$$575 \times 3.5 = 2012.5$$

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

NR RECORD CONDITIONS/REMARKS:

016 - SEE REMARKS FOR ADDITIONAL CONDITIONS OF APPROVAL.
THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 0.02 CFS WHEN
COMBINED WITH LICENSE NO. 31-7023 AND 31-7065.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DEB
VJL. AFPA

**REC. CONS.
USE**

04TBASE EXAMINER

DATABASE EXAMINER**DATABASE EXAMINER**

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE:

CMB 31-02436, 7023, 7065

Q_{INT} 6.02 CFS

POUL- 575 AC 255mc-K06

Exp - some pod

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(X)	()
(X)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-02436

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
5.100

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-02436	5.100	-		31-02436	5.100
TOTAL CFS		5.100				5.100

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NOTES:

AUTENTICATION:

SIGNATURE: Dave Carlson

DATE: 3/14/95

NAME OF FIELD EXAMINER: DAVE CARLSON

TITLE: WA

STATE OF IJAWO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/16/93

PAGE: 15
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-92456

NR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		DC3/95	No				
SOURCE								
PLACE OF USE	Y			Yes				
DIV. AMOUNT CFS/VOLUME	Y			Yes				
CONSUMPTIVE USE	-							
PURPOSES	Y			Yes				
PERIOD OF USE	Y			Yes				
BASIS OF CLAIM								
REMARKS				Yes				

"VERIFIED BY" CODES

TOPD MAP/ORTHOG-PQ = 1
ASCS MAP = 2
MASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:42:29
03/15/93

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A31-02436

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VANNES ANDERSON BOX 739 BURLEY ID 83313 (206) 673-2388	10/04/1966	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	5.10 CFS 0.04 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	5.10 CFS 1525.0 AFI

WATER SOURCE: GROUNDWATER

TRIBUTARY TO:

STAGE: LICENSE

POINT(S) OF DIVERSION: TOSH R35E S10

SWSE

JEFFERSON COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	SUM	
OSN	35E	3	:															40	40		240.0
OSN	35E	13	:															30	40		410.0
OSN	35E	13	:																		
																			TOTAL ACRES	610.0	

PLACE OF USE LEGAL DESCRIPTION FOR: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	
			:																	

POU COUNTY: JEFFERSON

NON-IRRIGATION USES: DOMESTIC - 1 HOME

OTHER RIGHTS: A31-02436/07023/07065

CONDITIONS OF APPROVAL:

DATES: EXAM MADE DATES:

VERIFIED DATE: 03/12/1993

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:

PRESUMPTION FLAG: 2

RECEIVED

AUG 13 2002

Department of Water Resources

2002 AUG 12 PM 1:43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 31-02436**
)

On April 19, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-02436 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED August 12, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2002 AUG 12 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 31-02436

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 31-02436 was mailed
on August 12, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

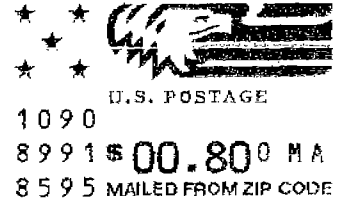
SHELLI BURTENSHAW
STEVEN BURTENSHAW
1202 N 1900 E
TERRETON, ID 83450-5209

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
08/12/02

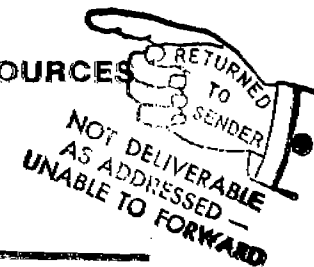
IDAHO DEPT OF WATER RESOURCES
EASTERN REGION
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402



RECEIVED
JUN 05 2002
Department of Water Resources
Eastern Region

IDAHO DEPT. OF WATER RESOURCES

Eastern Region
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718
(208) 525-7161



To

DALE & CAROL RICHINS
8533 N 5 E
IDAHO FALLS ID 83401

FOE

1 CAD
Richins-
Buntenshaw
31-24310
31-7023

RECEIVED

MAR 11 2002

Department of Water Resources
Eastern Region

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

In Re SRBA

SUBCASE NO: 31-2436

Case No. 39576

STANDARD FORM 5

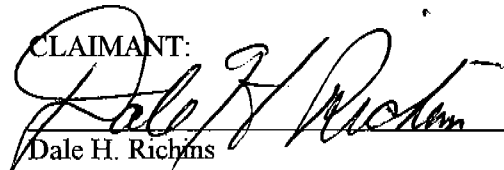
STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

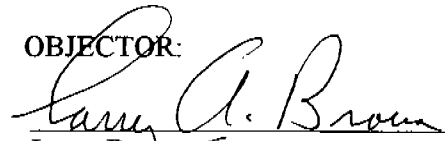
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

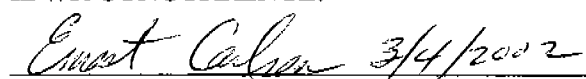
CLAIMANT:


Dale H. Richins

OBJECTOR:

 2/21/02
Larry Brown Fwp Date
Attorney for DOJ/BLM

IDWR CONCURRENCE:

 3/4/2002
Ernie Carlsen Date
Water Rights Supervisor, IDWR

 2/19/02
Candice M. McHugh (As to Form) Date
Attorney for IDWR

01/10/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-2436
NAME AND ADDRESS: DALE H RICHINS
PO BOX 18
LEWISVILLE ID 83431

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.100 CFS
892.50 AFY

Fwp

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2012.5 AF. COMBINED RIGHT NOS.: 31-2436, 31-7023, 31-7065.

PRIORITY DATE: 10/04/1966

POINT OF DIVERSION: T05N R35E S10 SWSWSE Within JEFFERSON County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	05/01 11/01	5.100 CFS 892.50 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R35E S10	SWNE	30.0	T05N R35E S10	SWNW	40.0
T05N R35E S10	NESW	40.0	T05N R35E S10	NWSW	40.0
T05N R35E S10	SWSW	40.0	T05N R35E S10	SESW	40.0
T05N R35E S10	NESE	~~20~~ 21.0	T05N R35E S10	NWSE	40.0
T05N R35E S10	SWSE	~~40~~ 34.0	T05N R35E S10	SESE	~~20~~ 10.0
T05N R35E S09	SWNE	40.0	T05N R35E S09	SENE	40.0
T05N R35E S09	NESE	40.0	T05N R35E S09	NWSE	40.0
T05N R35E S09	SWSE	40.0	T05N R35E S09	SESE	40.0
~~T05N R35E S10~~	~~SENE~~	~~20~~			

575 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 575 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-2436, 31-7023, 31-7065.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 255 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 - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-07023, 31-07065

CERTIFICATE OF MAILING

I certify that on March 7, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

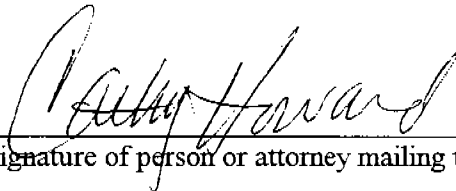
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Larry A. Brown
US DOJ
Attorney for BLM
550 W. Fort St. MSC 033
Boise, ID 83724

Dale H. Richins
P.O. Box 18
Lewisville, ID 83431



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 29, 2002

STEVEN & SHELLI BURTENSCHAW
1202 N 1900 E
TERRETON ID 83450-5209

RE: Notice of Change of Water Right Ownership (NCO) for 31-2436, 31-7023,
31-7065 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Burtenshaw:

On May 2, 2002, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

A handwritten signature in cursive script that reads 'Jennifer Crabtree'.

Jennifer Crabtree

Technical Records Specialist

Enclosure

cc: Dale & Carol Richins

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

In Re SRBA)

Water Rights: 31-2436, 31-7023, 31-7065

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party **RICHINS - BURTENSCHAW**
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 29, 2002

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 31, 2002, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
DALE & CAROL RICHINS
8533 N 5 E
IDAHO FALLS ID 83401

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
STEVEN & SHELLI BURTENSHAW
1202 N 1900 E
TERRETON ID 83450-5209

4. One copy to:

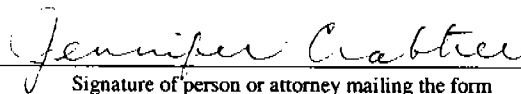
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

RECEIVED

MAY 02 2002

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
31-7023					
31-7065					
31-2436					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Dale and Carol Richins
8533 North 5 East, Idaho Falls, ID 83401
4. New Owner/Claimant(s) Steven and Shelli Burtenshaw
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1202 North 1900 East
- City, State and ZIP Code Terreton, Idaho 83450-5209
- New Telephone Number 208 663-4825
5. Date you acquired the property 4/11/02

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Sheeli Buntershan

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

314028

GRANT DEED

THIS INDENTURE is made to be effective as of November 10, 2001, by DALE H. RICHINS and CAROL RICHINS, husband and wife, hereinafter referred to as "Grantor ", to STEVEN BURTENSHAW and SHELLI BURTENSHAW, husband and wife, whose mailing address is 1202 North 1900 East, Terreton, Idaho 83450-5209, hereinafter referred to as "Grantee".

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, and by these presents does grant and confirm unto the Grantee, and to Grantee's successors and assigns forever, all of the following described real property in the County of Jefferson, State of Idaho, to-wit:

Township 5 North, Range 35 East, of the Boise Meridian, Jefferson County, Idaho:

Section 9: SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 10: S $\frac{1}{2}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$

Excepting therefrom: Public road right of ways.

Reserving therefrom: A ten-acre tract of land lying in Jefferson County, State of Idaho, in the SE Quarter of the SW Quarter and the SW Quarter of the SE Quarter of Section 10, Township 5 North, Range 35 East of the Boise Meridian and more particularly described as follows: Beginning at the Southeast Corner of Section 10. A GLO iron post and brass cap; thence N 89°58'24" W along the South line of said Section 1863.71 feet to the true point of beginning; thence continuing N 89°58'24" W along said South line of Section 10 a distance of 1000.00 feet; thence N 00°01'36" E and perpendicular to the South line of said Section 10 a distance of 435.60 feet; thence S 89°58'24" E parallel to the South line of Section 10 a distance of 1000.00 feet; thence S 00°01'36" W and

perpendicular to the South line of Section 10 a distance of 435.60 feet to the point of beginning. Subject to the rights granted to Grantee in the next two paragraphs.

Together with: The irrigation well on the reserved ten (10) acres, together with pump, panel, reservoir and water line and an easement for access to the irrigation well, pump, panel, reservoir and water line, extending over, under and across a fifteen (15) foot radius around the existing well, pump and reservoir and ten (10) feet on either side of the existing water line, all as located on the reserved ten (10) acres above-described. The easement shall include the rights to service the well, including enlarging, deepening, cleaning or otherwise servicing it to provide the irrigation water included in the below-described water rights, and shall include the rights to service, repair, maintain and replace the pump, panel, power lines, reservoir and water lines.

Together with: water right nos. 31-7023, 31-7065 and 31-2436.

SUBJECT TO:

(i) All real property taxes and assessments for the year 2002 and thereafter, all existing patent reservations, easements, rights of way, protective covenants and other matters of record, all applicable zoning ordinances, building codes, laws and regulations, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property.

(ii) Real Estate Mortgage from Murdock and Schmitt to The Bank of Commerce, recorded July 21, 1995, as Instrument No. 277283, records of Jefferson County, Idaho.

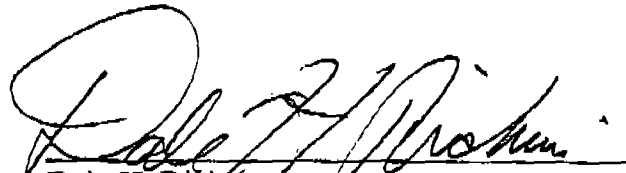
(iii) Mortgage and Security Agreement from Dale H. Richins and Carol Richins to Murdock and Schmitt, recorded July 8, 1997, as Instrument No. 286342, records of Jefferson County, Idaho.

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

TO HAVE AND TO HOLD, the property and the appurtenances unto the Grantee, and to Grantee's successors and assigns forever.

In construing this 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.


Dale H. Richins


Carol Richins

RECEIVED

SEP 10 2001

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 31-02436

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Dale H. Richins

Address: P.O. Box 18; Lewisville, Idaho 83431

Name:

Address:;

Name:

Address:;

Name:

Address:;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

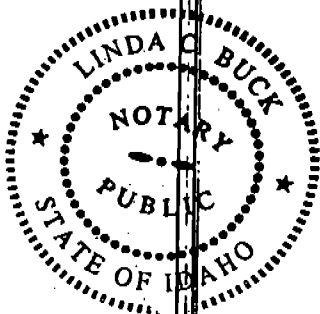
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry G. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 7, 2001

Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho
Residing at: Mountain Home, ID.
My Commission Expires: 12-21-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on September 7, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Dale H. Richins
Address: P.O. Box 18; Lewisville, Idaho 83431

Name:
Address:;

Name:
Address:;

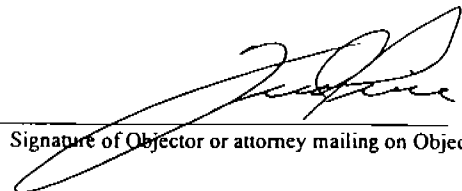
Name:
Address:;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

05/04/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-2436
NAME AND ADDRESS: DALE H RICHINS
PO BOX 18
LEWISVILLE ID 83431

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.100 CFS
892.50 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.02 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2012.5 AF.^^^ COMBINED RIGHT NOS.: 31-07023,
31-07065.^^^

PRIORITY DATE: 10/04/1966

POINT OF
DIVERSION:

T05N R35E S10 SWSE Within JEFFERSON County

Issue:
Circled place of use
is on public land.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
5/01 11/01

QUANTITY
5.100 CFS
892.50 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T05N R35E S09	SWNE	40.0	T05N R35E S09	SENE	40.0
T05N R35E S09	NESE	40.0	T05N R35E S09	NWSE	40.0
T05N R35E S09	SWSE	40.0	T05N R35E S09	SESE	40.0
T05N R35E S10	SWNE	30.0	T05N R35E S10	<u>SENE</u>	2.0 BLM
T05N R35E S10	SWNW	40.0	T05N R35E S10	NESW	40.0
T05N R35E S10	NWSE	40.0	T05N R35E S10	SWSW	40.0
T05N R35E S10	SESW	40.0	T05N R35E S10	NESE	20.0
T05N R35E S10	NWSE	40.0	T05N R35E S10	SWSE	40.0
T05N R35E S10	SESE	3.0			

575 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 575 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT
WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 575 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
31-07023, 31-07065.^^^

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.

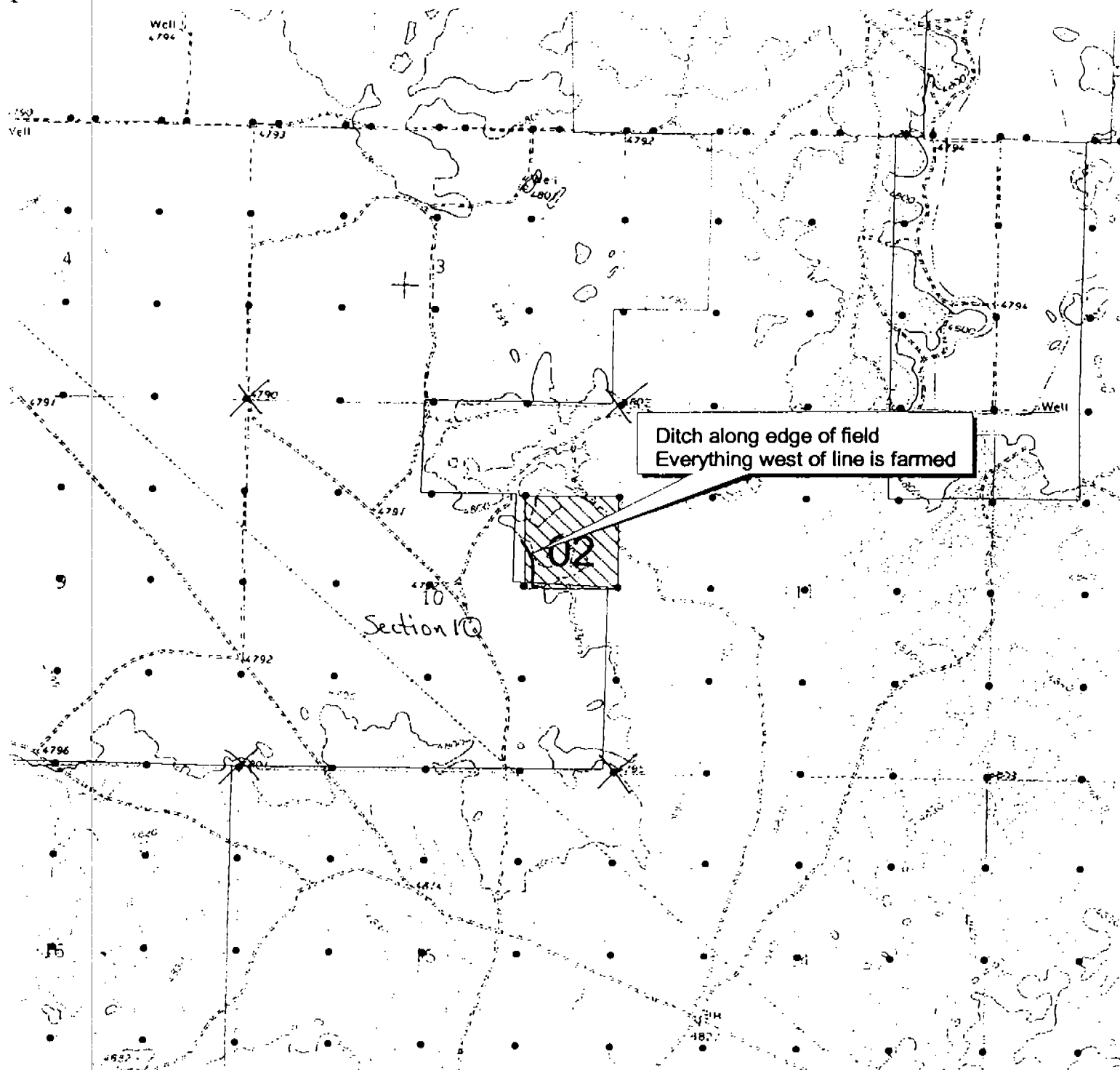
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

05/04/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 31-07023, 31-07065.^^

Basin 31 - State Irrigation Claims on Public Land F in the SRBA
 Dale H. (Claimant) 31-07065, 31-02436, 31-07023
 T.5N, R.35E, S.10 SENE (approx. 2 acres)
 Mud Lake SE Quad



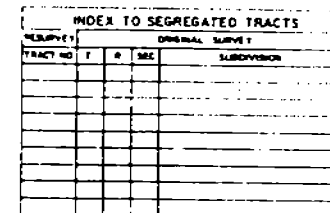
- B31Irrigation_gps_points.shp
- B31Irrigation_gps_line.shp
- ▨ Mapids.shp
- Lx05n35e_GCD8.txt
- ▨ iffo_pfo_own_mfpupdate.shp
- ▨ B.L.M.
- ▨ Bureau of Indian Affairs
- ▨ Department of Energy
- ▨ Forest Service
- ▨ Military Reservations
- ▨ National Parks & Monuments
- ▨ Open water
- ▨ Private
- ▨ State of Idaho
- ▨ U.S. Fish & Wildlife Service

0.5 0 0.5 Miles
 1:24,000 Scale



DRAFT: PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
 Projection Universal Transverse Mercator
 Zone 12, 1927 North American Datum
 No warranty is made by the Bureau of Land Management
 as to the accuracy, reliability, or completeness of
 this data for individual or aggregate use with other data.
 Prepared by Deena Teel on 7/11/2001 from GPS data collected
 on 7/2/2001.

MT PLAT



FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
2000 2 2 2000	

LINE PLATE.

Lat. 43° 43' 23" N
Long. 71° 16' 0" W

SCALE in Chords

10 20 30 40 50 60

WALSH, J. A. 1990. *FLA. FISHB. 1*

This plot is the Bureau's Record of Tokyo, and should be used only as a graphic display of the foregoing survey data. These data however do not reflect title changes which may have been

THE NOTATION SHOWN ON WITHDRAWALS REPRESENTS THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-

11700010
D/C OG R/W

1 2766
12.5'

IDI 29787
Buried 6'

1186543
D/C

1 10125C
BLM O CI
Non Suitable
DLE

851536
D/C

BLM

T05N
R35 E
S10

11730024
D/C OG R/W

11690138
D/C OG



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 15, 1998

DALE H RICHINS
PO BOX 18
LEWISVILLE ID 83431

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A31-02436, A31-
02453, A31-07023, A31-07065

Dear Mr. Richins:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 16 1998

Department of Water Resources
Eastern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of Department of Water Resources
Eastern Region
Incomplete forms will be returned.

1. Water Right Number(s) 31-02436, 31-02453, 31-07023, 31-07065
 Adjudication Claim Number(s) A31- A31

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) MARK MURDOCK, WILLIE SCHMITT

TERRETON, IDA 83450

4. New Owner/Claimant(s)

DALE H. RICHINS

New Mailing Address

P.O. Box 18

City, State and ZIP Code

LEWISVILLE, IDA 83481

New Telephone Number

208-663-4976

5. Date you acquired the property

30 July, 1997

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 800 Number and type of stock _____

Diversion rate in CFS _____ Number of homes 2 Other uses LIVESTOCK

cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Dale H. Richins

Date 6/1/98

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.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

THIS INDENTURE is made this 3rd day of ~~June~~^{July}, 1997, by Murdock & Schmitt, a partnership whose only partners are Mark J. Murdock and Willy Schmitt, Mark J. Murdock and Michelle Murdock, husband and wife, and Willy Schmitt and Terry Schmitt, husband and wife, referred to collectively as the Grantor, and Dale H. Richins and Carol Richins, husband and wife, the Grantee, whose mailing address is 8533 North 5 East, Idaho Falls, Idaho, 83401.

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 Jefferson, State of Idaho, to-wit:

Township 5 North, Range 35 East of the Boise Meridian,
Jefferson County, Idaho.

Section 2: Lot 4,
NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: Lots 1 and 2,
SE $\frac{1}{4}$

Section 9: SE $\frac{1}{4}$,
S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 10: S $\frac{1}{2}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$

Excepting therefrom: Public road right of ways.

SUBJECT TO:

(i) All existing easements and patent reservations.

RECEIVED BY
ALLIANCE TITLE & ESCROW CORP.
FOR RECORDING
DATE 7-9-97 Time 12:52 p.m.

Microfilm No. 286341
Date July 9 1997
Time 1:43 p.m.
J. Clock PK
WILLIE M. KELLER
Recorder
Time 15:00 SE
Request for
atc

(ii) Mortgage and security agreement from Murdock and Schmitt to Verda Anderson, a widow, and Carolyn Anderson Taylor, personal representative of the Estate of Vanness Anderson (mortgagee) dated April 23, 1993, and recorded April 29, 1993, as Instrument No. 267659, records of Jefferson County, Idaho.

(iii) Real Estate Mortgage from Murdock and Schmitt to The Bank of Commerce, recorded July 21, 1995, as Instrument No. 277283, records of Jefferson County, Idaho.

(iv) Financing Statement showing Murdock and Schmitt, as Debtor, to West One Bank, Idaho, as Secured Party, recorded December 27, 1994, as Instrument No. 275134, records of Jefferson 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.

MURDOCK & SCHMITT, a partnership

By: Mark J. Murdock
Mark J. Murdock

By: Willy Schmitt
Willy Schmitt

Mark J. Murdock
Mark J. Murdock

Michelle Murdock
Michelle Murdock

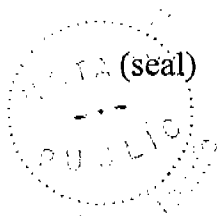
Willy Schmitt
Willy Schmitt

Terry Schmitt
Terry Schmitt

STATE OF IDAHO)
)ss.
County of Jefferson)

On the 3rd day of ~~June~~^{July}, 1997, before me the undersigned, a notary public in and for said State, personally appeared Mark J. Murdock, known or identified to me to be one of the partners in the partnership of Murdock & Schmitt and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

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



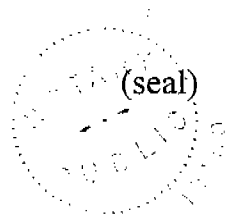


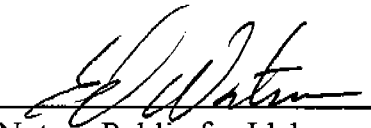
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 5-12-99

STATE OF IDAHO)
)ss.
County of Jefferson)

On the 3rd day of ~~June~~^{July}, 1997, before me the undersigned, a notary public in and for said State, personally appeared Willy Schmitt, known or identified to me to be one of the partners in the partnership of Murdock & Schmitt and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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



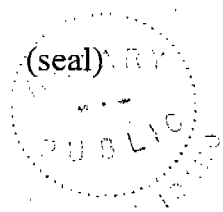


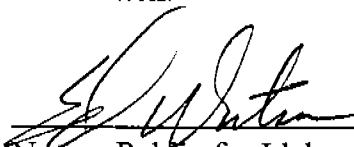
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 5-12-99

STATE OF IDAHO)
)ss.
County of Jefferson)

On the 3rd day of ~~June~~^{July}, 1997, before me, the undersigned, a notary public, in and for said State, personally appeared Mark J. Murdock and Michelle Murdock, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



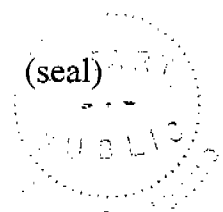


Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 5-12-99

STATE OF IDAHO)
)ss.
County of Jefferson)

On the 3rd day of ~~June~~^{July}, 1997, before me, the undersigned, a notary public, in and for said State, personally appeared Willy Schmitt and Terry Schmitt, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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





Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 5-12-99

G:\WPDATA\GLM2045\MURDOCK3.WD:as



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

May 14, 1998

DALE RICHINS
PO BOX 18
LEWISVILLE, ID 83431

RE: CHANGE IN OWNERSHIP FOR A31-02436, A31-02453,
A31-07023 & A31-07065.

Dear Mr. Richins:

It has come to our attention that you may have recently purchased a tract of land in Jefferson County. The property to which I am referring was most recently owned by Murdock & Schmitt Partnership. The legal description is as follows:

T05N R35E S10 SW1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Autumn Jones
Records Clerk

Enclosure(s)



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

MAY 12, 1993

MURDOCK & SCHMITT PARTNERSHIP
899 E 1800 N
MOUNTEVIEW ID 83435

RE: CHANGE IN OWNERSHIP FOR A31-02436, -02453, -07023,
-07065

Dear Sirs:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) 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,

Jo Thompson

for Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Notices of Claim

cc: Vanness Anderson/letter
Nancy Garrett, Land Title and Escrow, Inc./letter

MICROFILMED
APR 14 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

DATE OF CLOSING: April 30, 1993

MAY 05 1993

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources

Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM. Eastern District Office

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. See attached copy

☐ 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: A31-02436; A31-02453; A31-07023, A31-07065

☐ Name and Address of Former Owner/Claimant(s)(Seller): Vanness Anderson
Burley, Idaho 83318

☐ New Owner/Claimant (Purchaser): Murdock & Schmitt, a partnership consisting of
Mark J. Murdock and Willie Schmitt

☐ New Mailing Address: 899 East 1800 North
Mountview, Idaho 83435

☐ New Telephone Number: (208) 443-4579

☐ 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:

☐ Attach proof of ownership, describe proof attached: Copy of Recorded Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) by Mark J. Murdock & Willie Schmitt Date 4-23-93
Willie Schmitt Date 4-23-93

☐ 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:

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

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APR 14 1994

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsit e or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

17285

FIRST AMERICAN TITLE

267658

WARRANTY DEED

THIS INDENTURE, made this 26th day of April, 1993, between VERDA ANDERSON, a widow, and CAROLYN ANDERSON TAYLOR, Personal Representative of the ESTATE OF VANNESS ANDERSON, of 2211 Burton Avenue, Burley, Idaho 83318, ("Grantor"), and MURDOCK AND SCHMITT, a partnership, consisting of MARK J. MURDOCK and WILLIE SCHMITT, whose address is 899 East 1800 North, Mountview, Idaho 83435, ("Grantee").

W I T N E S S E T H:

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, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Jefferson, State of Idaho, to-wit:

That property more particularly described on Exhibit A attached hereto and made a part hereof by reference.

SUBJECT TO: 1993 accruing taxes, levies and assessments; all road, ditch and utility rights of way as they exist over, upon and across the real estate; Power Line Easement to Utah Power and Light Company recorded October 7, 1947, in Book 131, of Misc., page 381, records of Jefferson County; Power Line Easement granted to Utah Power and Light Company recorded June 20, 1958, in Book 166 of Misc., page 34, records of Jefferson County; A certain Mineral Grant Deed recorded July 7,

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1 1954, in Book 153 of Deeds, Page 303, records
2 of Jefferson County, Idaho; Power Line
3 Easement granted to Utah Power and Light
4 Company recorded May 12, 1969, as Instrument
5 number 151243, records of Jefferson County,
6 Idaho.

7 TOGETHER with all and singular the tenements,
8 hereditaments and appurtenances thereunto belonging or in
9 anywise appertaining, the reversion and reversions, remainder
10 and remainders, rents, issues and profits thereof, and all
11 estate, right, title and interest in and to said property as
12 well in law as in equity of the Grantor and all water and water
13 rights including, but not limited to water rights evidenced by
14 Idaho Resources numbers A31-02436, A31-02453, A31-07023, and
15 A31-07065 and any other claims and licenses appurtenant to the
16 property.

17 TO HAVE AND TO HOLD, all and singular the above-
18 mentioned and described premises, together with appurtenances
19 unto the Grantee and to the heirs and assigns of Grantee
20 forever.

21 The Grantor shall and will warrant and by these
22 presents will forever defend the said premises in the quiet and
23 peaceable possession of the Grantee, and the heirs and assigns
24 of Grantee against all and every person and persons whomsoever
25 lawfully claiming the same, except as aforesaid.

26 IN WITNESS WHEREOF, the Grantor has executed this Deed

(continued on page 3)

MICROFILMED
267658 APR 14 1994
Microfilm No. _____
29 Day April 1993
At 9:11 O'Clock P.M.
CONNIE M. KELLER
Jefferson Co., Recorder
Fee \$ 12.00 54 Deputy
Recorded at Request of
JES

1
2 the day and year first above written.

3 Verda Anderson
Verda Anderson

4 BY Carolyn Taylor
5 Attorney in Fact

6 ESTATE OF VANNESS ANDERSON

7 BY Carolyn Anderson Taylor
Personal Representative

8 STATE OF IDAHO)
9) SS
County of Cassia)

10 On this 26th day of April, in the year 1993, before
11 me, the undersigned, a Notary Public in and for said State,
12 personally appeared CAROLYN TAYLOR, known or identified to me to
13 be the person whose name is subscribed to the within instrument
as the attorney in fact of VERDA ANDERSON and acknowledged to me
that she subscribed the name of VERDA ANDERSON thereto as
principal and her own name as attorney in fact.

14 **LARRY ROBERTS**
NOTARY PUBLIC
STATE OF IDAHO
15 Residing at Burley, Idaho
16 My Commission Expires 6-30-97

Larry Roberts
Notary Public for Idaho
Residing at Burley
My commission expires on 6-30-97

17 STATE OF IDAHO)
18) SS
County of Cassia)

19 On this 26th day of April, in the year 1993, before me,
20 the undersigned, a Notary Public in and for said State,
21 personally appeared CAROLYN ANDERSON TAYLOR, known or identified
to me to be the person whose name is subscribed to the within
instrument as Personal Representative of the Estate of Vanness
Anderson, and acknowledged to me that she executed the same as
such Personal Representative.

23 **LARRY ROBERTS**
NOTARY PUBLIC
STATE OF IDAHO
24 Residing at Burley, Idaho
25 My Commission Expires 6-30-97

Larry Roberts
Notary Public for Idaho
Residing at Burley
My commission expires on 6-30-97

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EXHIBIT A

TOWNSHIP 5 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, JEFFERSON
COUNTY, IDAHO

Section 2: Lot 4,
NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: Lots 1 and 2,
SE $\frac{1}{4}$

Section 9: SE $\frac{1}{4}$,
S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 10: S $\frac{1}{2}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$

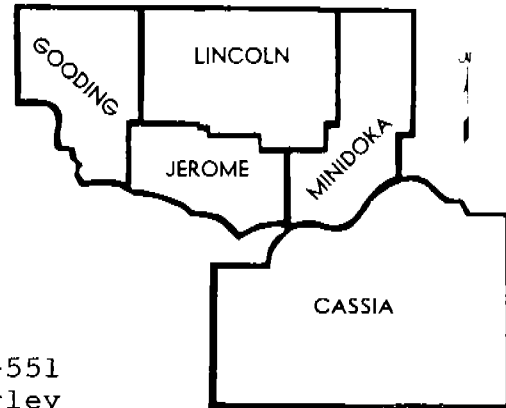
EXCEPTING THEREFROM: Public road right of ways.

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APR 14 1994

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: EC-551
OFFICE: Burley

May 4, 1993

Mr. Ron Carlson
Idaho Dept. of Water Resources
Eastern Region
900 North Skyline Drive
Idaho Falls, Idaho 83401-1718

RECEIVED

MAY 05 1993

Dear Mr. Carlson:

Department of Water Resources
Eastern District Office

Enclosed please find an original Change of Water Right Ownership executed by Mark J. Murdock and Willie Schmitt dba Murdock & Schmitt on water rights for property located in Jefferson County.

Would you please record this change into the proper records and return a receipted copy to this office.

Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Escrow Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 1199

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APR 14 1994

EXHIBIT A

TOWNSHIP 5 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, JEFFERSON
COUNTY, IDAHO

Section 2: Lot 4,
NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: Lots 1 and 2,
SE $\frac{1}{4}$

Section 9: SE $\frac{1}{4}$,
S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 10: S $\frac{1}{2}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING THEREFROM: Public road right of ways.

MICROFILMED

APR 14 1994

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That I, VANESS ANDERSON, of P. O. Box 789, Burley, County of Cassia, State of Idaho, have made, constituted, and appoint JOHN MARTIN of 15269 Bear Island Drive, Idaho Falls, County of Jefferson, State of Idaho, my true and lawful attorney for me and in my name, place, and stead, and for my use and benefit in regard to Lowell Moore, Geraldine Moore, and/or Moore Ranches, Inc., to ask, demand, sue for, recover, collect, and receive all such sums of money, debts, dues, accounts, legacies, bequests, interests, dividends, annuities, and demands whatsoever, as are now or shall hereafter become due, owing, payable, or belonging to me, and have, use, and take all lawful ways and means in my name or otherwise, for the recovery thereof, and to compromise and agree for the same, and acquittances or other sufficient discharge for the same, for me, and in my name.

Granting unto said attorney the power and authority to make, seal, and deliver, to bargain, contract, agree for, execute deeds of trust, purchase receipts, and take lands, tenements, hereditaments, and accept the seisin and possession of all lands and all deeds and other assurances in the law therefore, and to lease, let, demise, encumber, bargain, sell, remise, release, convey, execute deeds of trust, mortgage, hypothecate lands, tenements, hereditaments, upon such terms and conditions and under such covenants as he shall think fit.

MICROFILMED

NOV 17 1992

Also to bargain and agree for, buy, sell, mortgage, execute deeds of trust, hypothecate and in any and every way and manner, deal in and with goods and wares merchandise, choices in action, and other property and possession or in action and to make, do, and transact all and every kind of business of whatever nature or kind whatsoever, and also for me and in my name and as my act and deed, to sign, seal, execute, deliver, and acknowledge such deeds, leases, deeds of trust, assignments, covenants, indentures, agreements, mortgages, hypothecations, Bills of Lading, bills, bonds, notes, receipts, evidence of debts, releases, and satisfaction of mortgages, judgments, and other debts and such other instruments in writing of whatsoever kind and nature as may be necessary or proper in the premises.

Give and granting unto my said attorney, full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises as fully to all intents and purposes as I might or could do if present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney or his substitute or substitutes shall lawfully do or cause to be done by virtue of these presents.

This Power of Attorney may be revoked only by revocation in writing to the attorney and entry of record in the office of the County Recorder of the County of Cassia, State of Idaho, and until said revocation is thus recorded, all acts of said attorney are hereby ratified and affirmed.

State of Idaho
Department of Water Resources

RECEIVED

MAY 7 1975

WATER RIGHT LICENSE

Department of Water Resources
Eastern District Office

License of Water Right No. 33575/31-2436 Priority Oct. 4, 1966 Amount 5.10 cfs

THIS IS TO CERTIFY, that SPENCER & BENNETT ORR
of Thornton, Idaho, has complied with the terms and conditions of Permit
No. 33575/31-2436 issued pursuant to Application for Permit dated August 3, 1966,
and has submitted proof to the Department of Water Resources on July 20, 1972 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of * 6.02 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>Nov. 1</u>	at <u>5.10</u> cfs and	<u>765 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 5.10 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
765 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10,
Twp. 5 N, Rge. 35 E, B. M. in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	35 E	9													40				40
		10			32	2					40	40			18	40	40	3	215

Total number of acres irrigated 255

* The maximum rate of diversion shall not exceed 6.02 cfs when combined with
Licenses No. 31-7023 and 31-7065.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2 day of
May, 19 75.

Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 28, 2001

Murdock & Schmitt
c/o Mark J. Murdock
1900 E
Terreton, ID 83450

Murdock & Schmitt
c/o Willie Schmitt
899 E 1800 N
Monteview, ID 83435

Re: Mortgage on water rights 31-2436, 31-2453, 31-7023, 31-7065, 31-11348

Dear Mr. Murdock and Mr. Schmitt:

I have added Murdock & Schmitt as a lienholder to the above water rights per the mortgage filed in Jefferson County as instrument 286342, filed in July of 1997.

Enclosed are copies of the printouts of the current recommendations on these rights.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

enclosures

✓ cc: Dale H. Richins
P.O. Box 18
Lewisville, ID 83431

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

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

1. Water Right No(s): _____
Adjudication Claim No(s): 31-2436 31-7023 31-11348
31-2453 31-7065
2. The following REQUIRED information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a DEED of TRUST, MORTGAGE, CONTRACT OF SALE or other legal document indicating your interest in the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - B) PLAT OF PROPERTY or SURVEY MAP or a USDA Farm Service Agency Aerial Photo with property outlined.
 - C) A FEE of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest
Murdock + Schmitt
1401 W. 1900 E.
Teton, Idaho 83450
4. Name of Water Right Owner/Claimant(s) Dale H. Richin's
5. Expiration Date of Notification Period 2027
6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO
7. Signature(s) Murdock + Schmitt
Paul G. J. Jurek - Partner

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

For Office Use Only

Received by _____ Date _____ Fee _____
Receipted by _____ Date _____ Receipt No. _____
Processed by _____ Date _____

INSTRUCTIONS

This form has been prepared to assist persons having a security interest in a water right to request notification from the Department of Water Resources (IDWR) regarding any change in ownership of the water right or of any proposed or final action to amend, transfer or otherwise modify the water right as provided in Section 42-248(6), Idaho Code.

1. Please enter the water right or adjudication claim number(s) at Item 1. If you believe there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the request without documentation of a security interest. Common types of documentation are shown. Also include a plat or survey map or a USDA Farm Service Agency Aerial Photo outlining the property.
3. The name, mailing address, and telephone number of the person or company desiring notification is entered at Item 3.
4. At Item 4, please provide the name of the owner/claimant of the water right(s) listed.
5. At Item 5, please enter expiration date of the security interest or other date defining the end of the period for which notification is requested. The notification period can be renewed by completing a new form with the appropriate fees as shown below. If the security interest is terminated prior to the expiration date requested, the holder must notify IDWR within 60 days of termination.
6. At Item 6, please indicate if this is a renewal of a prior notice.
7. The person(s) desiring notification must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. Include the appropriate filing fee. There is a fee of \$25.00 per water right or adjudication claim. Renewals, if necessary, are also \$25.00 per water right or adjudication claim.
9. When complete, you should retain a copy and return the completed original form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

P.O. BOX 566 RIGBY, IDAHO 83442 208-745-9495 FAX 208-745-7917

Alliance Title and Escrow

Fax

To: Bryce - From: Mary Ann
Fax: 525-7177 Pages: 9 including cover.
Phone: _____ Date: _____

Re: _____

CC: _____

☐ Urgent☐ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

• Comments:

File
set is held in Long Term Escrow.
in Kerkburg office

I Thank You

ALLIANCE TITLE

MORTGAGE

[NOTE TO RECORDER: THIS MORTGAGE IS INTENDED TO BE A FIXTURE FILING AND IS TO BE INDEXED NOT ONLY AS A MORTGAGE BUT ALSO AS A FIXTURE FILING]

MORTGAGE AND SECURITY AGREEMENT

THIS MORTGAGE, hereinafter referred to as "Mortgage", made this 3rd day of ^{July} ~~June~~, 1997, by and between Dale H. Richins and Carol Richins, whose mailing address 8533 North S East, Idaho Falls, Idaho, 83401, hereinafter referred to jointly, severally and collectively as "Mortgagor", and Murdock and Schmitt, a partnership whose only partners are Mark J. Murdock and Willy Schmitt, Mark J. Murdock and Michelle Murdock, husband and wife, and Willy Schmitt and Terry Schmitt, husband and wife, hereinafter referred to collectively as "Mortgagee", whose mailing address is 1894 E. 1500 N., Terreton, Idaho, 83450.

RECITALS

Mortgagor has purchased the Premises from Mortgagee pursuant to the terms of a Contract of Sale (the "Contract"). All terms that are defined in the Contract have the same meaning in this Mortgage. This Mortgage is given to secure Mortgagor's obligations under the Contract, the Notes, and the Related Documents.

Mortgagor, as security for the performance and observance of and compliance with all of the covenants and agreements herein contained and for the payment of an indebtedness in the principal amount of (i) Eighty Thousand Dollars (\$80,000) (less certain credits) which is payable without interest on November 1, 1997, and (ii) the sum of Six Hundred Forty-Four Thousand Dollars (\$644,000), evidenced by the Notes, payable to the order of Mortgagee, does hereby Mortgage unto said Mortgagee, all of the following:

A. The following described property situated in the County of Jefferson, State of Idaho:

Township 5 North, Range 35 East of the Boise Meridian,
Jefferson County, Idaho.

Section 2: Lot 4,
NW $\frac{1}{4}$ SW $\frac{1}{4}$

Map No.	286342
8	10 97
L. M. KELLER	
Recorder	
21.00	56
Deputy	
at	

Section 3: Lots 1 and 2,
SE $\frac{1}{4}$

Section 9: SE $\frac{1}{4}$,
S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 10: S $\frac{1}{2}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$

Excepting therefrom: Public road right of ways.

SUBJECT TO:

(i) All existing easements and patent reservations.

(ii) Mortgage and security agreement from Murdock and Schmitt to Verda Anderson, a widow, and Carolyn Anderson Taylor, personal representative of the Estate of Vanness Anderson (mortgagee) dated April 23, 1993, and recorded April 29, 1993, as Instrument No. 267659, records of Jefferson County, Idaho.

(iii) Real Estate Mortgage from Murdock and Schmitt to The Bank of Commerce, recorded July 21, 1995, as Instrument No. 277283, records of Jefferson County, Idaho.

B. All buildings, structures and improvements now or hereafter situated thereon and all and singular the tenements, hereditaments, rights, rights-of-way, easements, privileges, appurtenances, reversion and reversions, remainder and remainders thereunto belonging or in any way appertaining thereto.

C. All irrigation equipment and all appurtenances thereto.

D. All water, water rights and ditches, thereunto belonging or in any way pertaining thereto and all shares of corporate stock evidencing the same.

E. All after-acquired property, substitutions, renewals or replacements of the types and classes described and mentioned in this paragraph except as provided hereafter.

F. All of the foregoing being considered as fixtures. All of the foregoing is referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with, all and singular, the rights and appurtenances now or hereafter in any wise appertaining thereto; and Mortgagor hereby binds itself, its successors and assigns, to warrant and forever defend all and singular of the Premises unto Mortgagee, its successors and assigns, against all persons or entities now or hereafter claiming the same or any part hereof.

The Anderson Note matures on April 15, 2012. The Partnership Note matures on April 15, 2027.

TO PROTECT THE SECURITY OF THIS MORTGAGE, Mortgagor agrees as follows:

1. **Payment of Indebtedness Hereunder.** Mortgagor shall pay the Notes, with all interest thereon, in accordance with their terms.

2. **Payment of Other Assessments and Charges.** Mortgagor shall pay:

a. all taxes and assessments of every type or nature affecting the Premises before delinquent; and

b. all other charges and encumbrances which may now or shall hereafter be or appear to be a lien prior to the lien of this Mortgage.

3. **Maintenance of Premises.**

a. Mortgagor agrees to keep the Premises in good condition and repair; not to commit or permit waste; not to use the Premises for any purpose other than agricultural.

b. Mortgagor shall use reasonable efforts to keep all required permits, licenses, and certificates in full force and effect; to comply with all conservation, environmental protection and pollution laws and regulations.

4. Environmental Protection Requirements, Warranties and Indemnities. Mortgagor represents, warrants and certifies to Mortgagee and agrees as follows:

a. At its own cost, Mortgagor will take all actions which are necessary or desirable to clean up any Hazardous Substances deposited on the Premises by Mortgagor including removal, containment or other remedial action.

b. Mortgagor shall indemnify and hold Mortgagee harmless from and against any and all claims, costs and expenses (including attorney fees and disbursements) which accrue to or are incurred by Mortgagee on or after transfer of the on property, pursuant to foreclosure proceedings or in lieu thereof, and arise directly or indirectly from or out of, or in any way connected with any activities on the Premises during Mortgagor's ownership, possession or control of the Premises which directly or indirectly result in the Premises becoming contaminated with Hazardous Substances.

c. For purposes of this Mortgage, "Hazardous Substances" shall mean any substance or material defined or designated as hazardous or toxic waste, hazardous or toxic material, hazardous, toxic or radioactive substance or other similar term by any federal, state or local environmental statute, regulation or ordinance presently in effect or that may be promulgated in the future, and shall include petroleum or petroleum based products.

5. Security Agreement. An express security interest is hereby granted to Mortgagee in respect to any part of the Premises which, under Idaho law, might now or hereafter be construed or considered as personal property, fixtures, or otherwise, as governed under the Uniform Commercial Code; and this Mortgage shall constitute a Security Agreement and fixture filing pursuant to the Idaho Uniform Commercial Code.

This filing is to be recorded in the real estate records of Jefferson County, Idaho, where the Premises are located. In that regard, the following information is provided:

Name of Debtor:	Dale H. Richins and Carol Richins
Address:	8533 North 5 East Idaho Falls, Idaho 83401

Name of Secured Party:	Murdock & Schmitt, a partnership
Address:	1894 E. 1500 N. Terreton, Idaho 83450

10. Replacement of Equipment. Mortgagee agrees that Mortgagor may trade any of the equipment for replacement equipment. The Mortgagee will execute a subordination or other similar document for a security interest in the replacement equipment, provided that Mortgagor shall have a second lien on such replacement equipment and shall have the opportunity to pay and cure any default that may occur to the prior lienholder. When the prior lienholder is paid, the interest of the Mortgagee herein shall be the first lien position.

11 Authorization to Conduct Inspections. Mortgagee (and Mortgagee's agents) are authorized to enter upon the Premises, after reasonable notice to Mortgagor, to inspect the Premises and to perform any acts Mortgagee is authorized to perform under the terms of this Mortgage.

12. Separability of Unenforceable or Void Provisions. If any provision hereof should be held unenforceable or void, then such provision shall be deemed separable from the remaining provisions and shall in no way affect the validity of this Mortgage.

13. Governing Law. That this Mortgage shall be governed by and any questions arising hereunder shall be construed according to the laws of the State of Idaho.

14. Release of Mortgage. If the Notes are paid in accordance with its terms and if all of the covenants and conditions contained in the Related Documents are observed, this Mortgage shall be released.

15. Default. The following shall constitute a default hereunder: (i) Failure to pay the Notes according to their terms; or (ii) the institution of proceedings under any bankruptcy or in solvency law against Mortgagor (which are not set aside, dismissed or revoked within thirty (30) days; or (iii) failure to comply with any material term of the Related Documents. In the event of such default, Mortgagee may give notice of the default to Mortgagor, specifying the nature of the default. If the default is not cured within thirty (30) days, Mortgagee may cause this Mortgage to be foreclosed in the manner prescribed by law. The Premises may be sold in one parcel as an entirety or in such parcels, manner or order as Mortgagee may reasonably elect. Mortgagee shall have the right to bid at any foreclosure sale, and if it is the successful bidder and acquires the Premises, such bid shall be credited against the entire claim of Mortgagee.

16. Payment of Legal Fees and Costs. In the event of any default or foreclosure proceedings, Mortgagor shall pay reasonable attorney fees, together with the costs of title reports and all court costs, together with interest thereon from the date of payment by Mortgagee at the rate of twelve percent (12%) per annum. Said amounts shall

be added to and become part of the principal debt secured hereby and shall be collected as part of the principal debt in any suit hereon.

17. **Notices.** Service of any notice permitted or required under the terms of this Mortgage shall be effective upon (i) personal delivery, (ii) upon telefaxing the notice to a number designated by the recipient, or (iii) upon depositing of the notice in the United States Mail, by Certified Mail, addressed as follows:

Mortgagor: Dale H. Richins and Carol Richins
8533 North 5 East
Idaho Falls, Idaho 83401

Mortgagee: Murdock & Schmitt, a partnership
1894 E. 1500 N.
Terreton, Idaho 83450

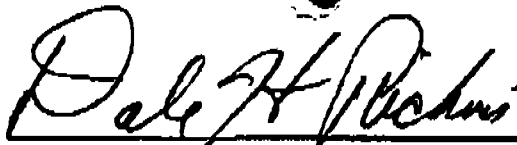
Mark J. Murdock and Michelle Murdock
1894 E. 1500 N.
Terreton, Idaho 83450

Willy Schmitt and Terry Schmitt
899 E. 1800 N.
Montevue, Idaho 83435

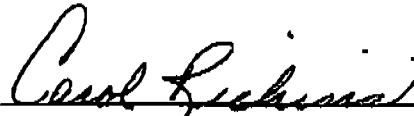
18. **Entire Agreement.** The Related Documents set forth the entire understanding of the parties and supersedes all prior agreements or understandings, whether written or oral, with respect to the subject matter hereof. No terms, conditions or warranties other than those contained in the Related Documents shall be valid unless made in writing and signed by the parties hereto.

19. **Use of Headings.** The headings in this Mortgage are for purposes of reference only and shall not limit or define the meanings thereof.

IN WITNESS WHEREOF, Mortgagor has signed, acknowledged and delivered this Mortgage on the date first-above written.



Dale H. Richins

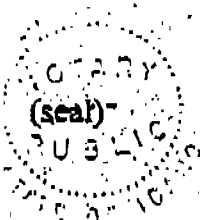


Carol Richins

STATE OF IDAHO)
)ss.
County of Jefferson)

On the 3rd day of ~~June~~^{July}, 1997, before me, the undersigned, a notary public, in and for said State, personally appeared Dale H. Richins and Carol Richins, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Notary Public for Idaho

Residing at: Boise, Id.My Commission Expires: 5-12-99

G:\WPDATA\GLM\2049\WURDOCK\ MTC

RECEIVED

FEB 09 2001

01/25/2001

Department of Water Resources
Eastern Region

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: March 9, 2001

Water right number: 31-2436

DALE H RICHINS

PO BOX 18

LEWISVILLE ID 83431

Telephone Number: (208)663-4975

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:

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

DATE:

2/1/01

SIGNATURE:

[Handwritten Signature]

Please print your name:

DALE H. RICHINS

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190