

RECEIVED
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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

) Subcase 36-16312
) (Insert water right number)
)

Case 39576

) STANDARD FORM 4
)
)

) MOTION TO FILE:
)

) ☒ LATE NOTICE OF CLAIM
)

) ☐ AMENDED NOTICE OF CLAIM
)

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is David L. Tones
P.O. Box 557

My address is 3009 S. 2000 E. WENDELL UTAH
83355

My phone number is: Work 308-6780 Home 208-536-5460

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because: I did not know I had to or could claim a water right, I was not ever notified, I thought on the last well the well driller would do that, but it wasn't so. I am a member of a church that had a well and saw these water rights for local and figured I needed to check into it, that's when I called I.D.W.R. and they advised me as to what I needed to do. Property has an existing water right so I did a transfer of ownership, but was told I needed to file for the homes, 2 of them.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock Basin 36 watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

Warranty Deeds, Change of ownership, Stock water rights
Health district Permit for Homes 1, & 2, originally R.D. 1926 2
Legal description, plat Plan, notice of claim to a
water right

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.00.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on July 19 - 05 at 6.30
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Gooding

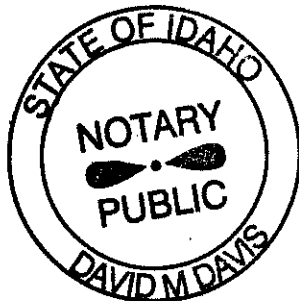
David L. Torres, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

David L. Torres
Signature of person filing motion

X
Attorney signing in representative capacity

Subscribed and sworn to before me on April 8, 2005
(Insert Date)



David M. Davis
Notary Public for Idaho
Residing at: Jerome, Idaho
My Commission expires: 8/25/05

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I certify that on April 8, 200~~0~~⁵ 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
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

- ☒ IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098
- ☒ Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449
- ☒ United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

☒ David L. Tones
Signature of person or attorney mailing the form

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

Identification No. 36-16312

Date Received _____

Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

✓ 1. Name of Claimant (s) David or Hallie Tones Phone (208) 536-5460

Mailing Address P.O. Box Wendell Zip 83355

✗ 2. Date of Priority (Only one per claim) 5-14-92 Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____

4. Location of point of diversion is: Township 8 S Range 15 E
Section 4, _____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot 1, BM.,
County of GOODING

Additional points of diversion if any: _____

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

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.06 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.06 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 2 HOMES on one well

10. Place of use is: Township: 8 S Range 15-E
Section 4, NE 1/4 of NE 1/4, Govt. Lot 1, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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

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

14. Remarks: Shares in Northside Canal Co - for irrigation purposes
TOTAL acres 15.68

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments _____

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

Signature of Claimant (s)

David L. Torres
Hallie R. Torres

Date 3-28-05

Date 3/28/05

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

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

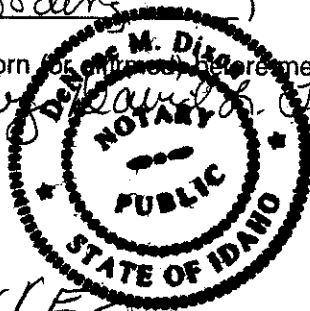
State of Idaho/or _____)

County of Gooding) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn to before me this 8th day of April 2005

SEAL



Notary Public

Residing at

My Commission Expires

David L. Torres only
Wendell, Id.

3-13-2010

Last Name

Torres

Ident No.

36-16312

Copies: White-State, Yellow-Claimant

WARRANTY DEED

For Value Received, A. W. Hartwell and Grace B. Hartwell, Husband and Wife,

the grantors, do hereby grant, bargain, sell and convey unto

Billy Brown,

the grantee, the following described premises, in..... Gooding..... County Idaho, to wit:

A tract of land north of the Oregon Short Line Railroad right of way in the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Four (4), Township Eight (8) South, Range Fifteen (15), East, Boise Meridian, more particularly described as follows:

Beginning at the northeast corner of said Section 4, thence south along the east line of said Section a distance of 792.8 feet to the north boundary of the Oregon Short Line Railroad right of way, thence in a northwesterly direction along said north boundary of said right of way 2177 feet to the north line of Section 4, thence east along said line 1913 feet to the place of beginning, said tract of land comprising 17.4 acres, more or less;

Together with 17.4 shares of the capital stock of the North Side Canal Co., Ltd.

(Reserving, however, unto the Grantors 1.75 acres thereof, together with 1.75 shares of the capital stock of said North Side Canal Co., Ltd., which said excepted tract is described as follows: Beginning at the northeast corner of said Section 4, thence South 0° 11' West along the east boundary of said Section 4 for a distance of 305.8 feet, thence North 83° 08' West for a distance of 269.2 feet, thence North 2° 28' East for a distance of 276.0 feet to the north boundary of said Section 4, thence South 89° 49' East along the north boundary of said Section 4 for a distance of 258.0 feet to the point of beginning.)

DISTANCE OF 255.0 FEET TO THE NORTH BOUNDARY OF THE SECTION 4 FOR A DIS-
South 89° 43' East along the north boundary of said Section 4 for a dis-
tance of 255.0 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
his heirs and assigns forever. And the said Grantors do hereby covenant to and with
said Grantee, that they are the owner s in fee simple of said premises; that they are free
all incumbrances

that t he y will warrant and defend the same from all lawful claims whatsoever.

d: December 31, 1964.

W. W. Hartwell

Grace B. Hartwell

E OF IDAHO, COUNTY OF Jerome, ss.

In this 31 day of December 1964,
me, a notary public in and for said State, personally
ired A. W. Hartwell,

n to me to be the person whose name is
ribed to the within instrument, and acknowledged to
hat he executed the same.

William A. Hartwell
Notary Public

ing at Jerome, Idaho
a. Expires December 17, 1966.

STATE OF IDAHO, COUNTY OF Gooding:

I hereby certify that this instrument was filed for re-
cord at the request of Billy Brown
at 45 minutes past 1 o'clock P.m.,
this 5th day of January,
1965, in my office, and duly recorded in Book
of Deeds at page

Billy Brown
Ex-Officio Recorder

By *Therese J. Wright* Deputy.

Fees \$ 1.80
Mall to: Box 248

INSTRUMENT No 15851.

For Value Received

BILLY H. BROWN, also known as BILLY BROWN and PEARL E. BROWN,
also know as PEARL BROWN, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
CLYDE TIMMONS and NELLIE TIMMONS, husband and wife
whose address is: 3009 South 2000 East Wendell, ID 83355

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho,
to-wit:

SEE ATTACHED EXHIBIT "A" *note back page*
(containing one page)

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
free from all incumberances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

Dated: May 12, 1992

Billy H. Brown
Billy H. Brown

Pearl E. Brown
Pearl E. Brown

STATE OF IDAHO, COUNTY OF GOODING

On this 12th day of May, 1992
before me, a notary public in and for said State, per-
sonally appeared

148718

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of *Land Title & Escrow Inc.*

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 12, 1992

Billy H. Brown
Billy H. Brown

Pearl E. Brown
Pearl E. Brown

STATE OF IDAHO, COUNTY OF GOODING

On this 12th day of May, 1992,
before me, a notary public in and for said State, personally appeared

Billy H. Brown
and
Pearl E. Brown

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

Janet A. Correll

Notary Public
Idaho.

Residing at Gooding
Commission expires: 2-28-1993

148718

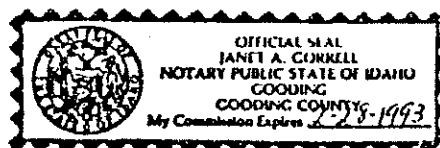
STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Land Title & Escrow Inc.

05 min. past 4 o'clock p m. this 14
of May, 1992 Fee \$6⁰⁰

JOHN A. MYERS Recorder

By Helen K. Pratt Depu



personally appeared

Filed for record at the request of Land Title & Escrow Inc.

EXHIBIT "A"

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 4: That part of Lots 1 and 2, described as follows:

Beginning at the Northeast corner of Section 4;
Thence North 89°49' West along said Section line
258.0 feet to THE TRUE POINT OF BEGINNING;
Thence South 2°28' West 276.0 feet;
Thence South 83°08' East 269.2 feet to the East
line of Section 4;
Thence South 0°11' West along East boundary 487.0
feet to the North boundary of the Oregon Short
Line Railroad Right of Way;
Thence Northwesterly along said North boundary of
said right of way 2177 feet to the North line of
Section 4;
Thence South 89°49' East along said North boundary
1655.0 feet to THE POINT OF BEGINNING.

TOGETHER WITH all water and water rights, ditches
and ditch rights used thereon or appurtenant thereto,
including but not limited to 15.65 shares of stock
in the North Side Canal Company, Ltd.

SUBJECT TO THE FOLLOWING:

All reservations in patents or deeds in the chain of title.

Taxes for 1992 and subsequent years, which are not due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

WARRANTY DEED

Clyde Timmons and Nellis Timmons, GRANTOR, of Wendell, County of Gooding, State of Idaho hereby CONVEYS or GRANTS and WARRANTS TO

David Torres and Hallie Torres, of Wendell, County of Gooding, State of Idaho, for good and valuable consideration the following described tract of land in Gooding County, State of Idaho:

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

Section 4: That part of Lots 1 and 2, described as follows:

Beginning at the Northeast corner of Section 4;

Thence North 89°49' West along said Section line

258.0 feet to THE TRUE POINT OF BEGINNING;

Thence South 2°28' West 276.0 feet;

Thence South 83°08' East 269.2 feet to the East
line of Section 4;

Thence South 0°11' West along East boundary 487.0 feet to the North boundary of the Oregon Short Line Railroad Right of Way;

Thence Northwesterly along said North boundary of
said right of way 2177 feet to the North line of
Section 4:

Thence South 89°49' East along said North boundary
1655.0 feet to THE POINT OF BEGINNING.

Along with 15 shares water, Northside Canal Company.

WITNESS the hand of said Grantor this 24th day of October, 1993.

X *Clyde Simmons*
Clyde Simmons

Nellie Timmons
Nellie Timmons

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 29th day of October, 1993, before me the undersigned, a Notary Public for said State and County, personally appeared CLYDE TIMMONS and NELLIE TIMMONS known or identified to me to be the persons whose names are subscribed to the foregoing 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 Twin Falls
My commission expires: 2/27/97

SOUTH CENTRAL DISTRICT HEALTH DEPARTMENT **Application for Subsurface Sewage Permit**

Name CLYDE TIMMONS	Phone 536-5521	APPLICANT'S PROPOSAL Please identify house, well location, disposal area.
Mailing Address 3009 S 2000 E WENDALL, ID 8		
Legal Description and/or Property Location SAME		
Lot Size 15 ACRES		
New System ☒ Replacement ☐ Existing Permit No. _____		
No. of Bedrooms 5	2 trailers or Est. Volume	
I understand that installation/application must comply with State of Idaho or District rules, regulations, and standards; Health District must be notified two (2) working days prior to completion of installation; and that permit is valid for one (1) year from date of issue.		
Signature of Applicant 		Date 5-14-92
		Nonrefundable Fee 50.00
		Receipt No. 19262

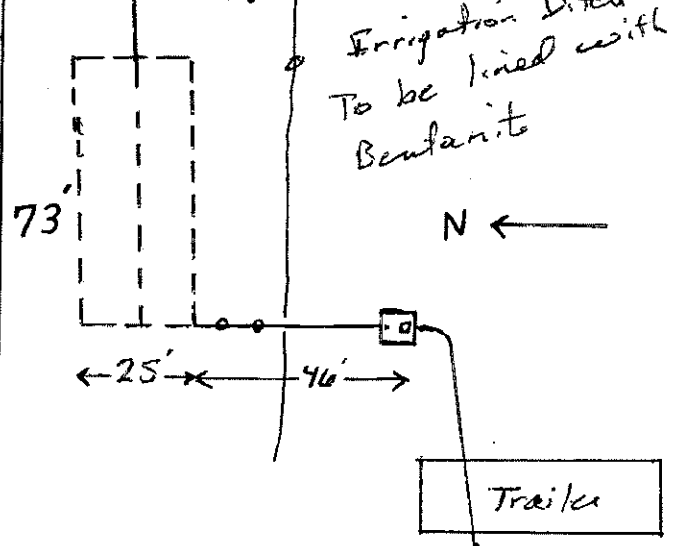
Site Evaluation

Soil Type B-2	Effective Soil Depth Comp. Silt 6' +	Test Holes Provided Yes
Sizing Requirements Bed ☐ Trench ☐	Septic Tank Gal. 1000 + 1000	Drainfield Area 665
Alternative System	Replacement Area Provided Yes	
Conducted by 	EHS	Date 5-15-92
Comments 3 (3'x70') + 2 (3'x25')	Permit No. 24-2037	

On-Site Construction Inspection

Septic Tank Size 1000	Baffles Installed Yes	Sealed Yes
Drainrock Under Pipe 6"	Approved Aggreg. Yes	
Minimum Distance Met	Yes ☒ No ☐	
Effective Disposal Area 665	sq. ft.	
Manhole/Standpipe Depth 6"	Location	
Installed By Clyde Timmons		
Other		
Approved ☒	Disapproved ☐	
Completed By 	EHS	Date 6-22-92

As-Built Construction Drawing





322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

March 30, 2005

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

DAVID TORRES
HALLIE TORRES
PO BOX 557
WENDELL ID 83355

RE: Change of Ownership for Water Right 36-10403

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 36-10403

WATER RIGHT NUMBER: 36-10403

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID TORRES
Current Owner	HALLIE TORRES PO BOX 557 WENDELL, ID 83355 (208) 536-5460

Priority Date: 06/01/1968

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01	12/31	0.040 CFS	
	<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NE1/4	Sec. 4, Twp 08S, Rge 15E, B.M.
GOODING County		

Place of Use

STOCKWATER Within GOODING County

T08S R15E S04 NENE

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. RP08S15E040187 STOCKWATER 30 HOLSTEINS

Dates and Other Information:

Decreed Date: 11/26/1996

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-10403

WATER RIGHT NUMBER: 36-10403

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NELLIE TIMMONS 3009 S 2000 E WENDELL, ID 83355
Original Owner	BILL H BROWN PO BOX 693 WENDELL, ID 83355 (208)536-2108
Current Owner	CLYDE TIMMONS 3009 S 2000 E WENDELL, ID 83355
Original Owner	PEARL BROWN PO BOX 693 WENDELL, ID 83355 (208)536-2108

*Current
Now* DAVID + Hallie Torres
see warranty Deed
Between Timmons + Torres
Change of ownership has been
filed.

Priority Date: 06/01/1968

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4NE1/4

Sec. 4, Twp 08S, Rge 15E, B.M.

GOODING County

Place of Use

— > STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
08S	15E	4	X				

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 36-10403

Remarks:

1. Explanatory PARCEL NO. RP08S15E040187 STOCKWATER 30 HOLSTEINS

*Bill Brown - see warranty
Deed
Hortakel & Brown
1964*

Comments:

1. ROBERTSO 5/22/1992 OWNERSHIP CHANGE

Comment: CHANGE OF OWNERSHIP FORM RECEIVED 5/18/92 ORIGINAL OWNERS BILLY H AND PEARL BROWN, NEW OWNERS CLYDE AND NELLIE TIMMONS. COPY OF DEED SUBMITTED WITH FORM. A36-10403 ALSO CHANGED ON THIS DATE. IDWR TO CONTINUE REVIEW.

2. STK-PROD 10/30/1996 D&S STK-BLM UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK. IF BLMUSFS, DELETED L12.

Dates and Other Information:

Licensed Date:

Decreed Date: 11/26/1996

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

