

WHITE PETERSON
ATTORNEYS AT LAW

WHITE PETERSON, P.A., an Idaho Professional Service Corporation

RECEIVED
JUN 27 2005
Department of Water Resources

PHILIP A. PETERSON

(208) 466-9272 (telephone)
(208) 724-6649 (cellular)
(208) 466-4405 (facsimile)
pap@whitepeterson.com

Offices:

CANYON PARK AT THE IDAHO CENTER
5700 EAST FRANKLIN ROAD, SUITE 200
NAMPA, IDAHO

Mailing Address:

Post Office Box 247
Nampa, Idaho (ID) 83653-0247

June 23, 2005

Idaho Department of Water Resources (IDWR)
Western Region
Attention: SRBA (Snake River Basin Adjudication)
322 East Front Street
Post Office Box 83720
Boise, Idaho (ID) 83720-0098

Re: Bognuda Land Trust Notice of Claim to a Water Right
Right #67-4265

Dear SRBA Administrator:

Representation. We represent Bognuda Land Trust, which recently purchased real property on which the above-referenced water right (point of diversion and place of use) is situated.

Background. This is a follow up on my telephone conversation of June 6, 2005, with Craig Saxton of your office regarding the above-referenced right. On May 13, 2005, we filed with the IDWR a Notice of Change in Water Right Ownership for, *inter alia*, the above-referenced water right. Subsequently, Mr. Saxton called indicating that, since this particular right had never been filed with the SRBA by Bognuda Land Trust's predecessor in interest, it would be necessary for Bognuda Land Trust to file a Notice of Claim to a Water Right for the water right.

Filing. Accordingly, please find an original and a copy of a Notice of Claim to a Water Right for Water Right #67-4265. Also enclosed is our check in the amount of \$25.00 for the filing fee. **Please file the original Notice and return a conformed copy, showing the filing data, to this office in the enclosed envelope.**

Idaho Department of Water Resources (IDWR)
Western Region
June 23, 2005
Page 2 of 2

RECEIVED
JUN 27 2005
Department of Water Resources

Questions. If you have any questions concerning the filing, please do not hesitate to contact me by telephone (466-9272) or at one of the addresses shown above on the letterhead.

Thank you very much.

Sincerely,



Philip A. Peterson

Enclosures

Copy to: Roy Bognuda

OOOO/A:\LET2.wpd

RECEIVED

JUN 27 2005

Department of Water Resources

Form No. 42-1409 (2) b 9/88 (Internet Version)

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. 67-4265
Date Received 6-27-05
Receipt Number CO78406

**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 Roy Bognuda, Trustee

1. Name of Claimant (s) Bognuda Land Trust Phone (805) 680-3426
Mailing Address 680 Camino Caballo, Nipomo, CA Zip 93444-9559

2. Date of Priority (Only one per claim) 01/01/1915 Month/Day/Year

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

4. Location of point of diversion is: Township 11N Range 04W
Section 17 1/4 of SE 1/4 of NW 1/4, Govt. Lot -- B.M.,
County of Washington

Additional points of diversion if any: None

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. Stock water from spring piped to points of use in NESW and SESW of Section 17, T11N, R04W B.M., Washington County, Idaho

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Stock water purposes from 01/01 ^{Month/Day} to 12/31 ^{Month/Day} amount 0.07 ^(cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.07 (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) Stock water: 50 range cattle for each of two (2) places of use

10. Place of use is: Township: 11N Range 04W

Section 17, NE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Washington for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any SESW, Section 17, T11N, R04W B.M., Washington County, Idaho

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

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

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

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

14. Remarks: None

15. Basis of Claim (Circle One) Beneficial Use (Statutory) Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 67-4265

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

Number of Attachments one (1)

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

Signature of Claimant (s) Roy Bognuda Date 6-19-05

Date _____

For Organizations: I do solemnly swear or affirm that I am the Trustee

of Bognuda Land Trust that I have signed the foregoing
document in the space below as Trustee of Bognuda Land Trust

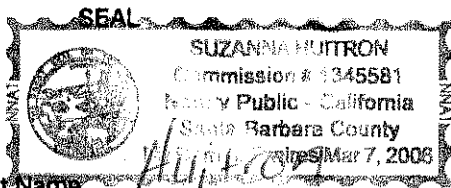
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization Roy Bognuda, Trustee, Bognuda Land Trust

State of Idaho/or California)
County of Santa Barbara) SS.

Subscribed and sworn (or affirmed) before me this 16th day of June 19 2005



Notary Public Suzanna Hutron

Residing at Alipomo California

My Commission Expires March 7, 2006

Last Name Hutron Ident No. 1345581

Mann
2235A1

Creek

DIVERSION AND USE
67-10413
SPRING

USE
67-10421

DIVERSION
67-10421
"FURNACE WOOD"

USE
67-4265

DIVERSION
67-4265
SPRING

DIVERSION AND USE
67-10416
"QUICKSAND SPRING"

STATE
LEASE

USE AREAS

DIVERSION AND USE
67-10412
"BEE HIVE SPRING"

DIVERSION AND USE
67-10411
"PINE GROVE WELL"

TOWNSHIP 11 NORTH
RANGE 4 WEST OF THE BOISE MERIDIAN
IDAHO
WASHINGTON COUNTY, IDAHO

27057

27757

28

180
ACRES
DEMIT

30327

20

30027

21

3167

3147

29857

35947

22597

27827

32347

30107

28107

31217

23787

26867

31617

31437

29627

25597