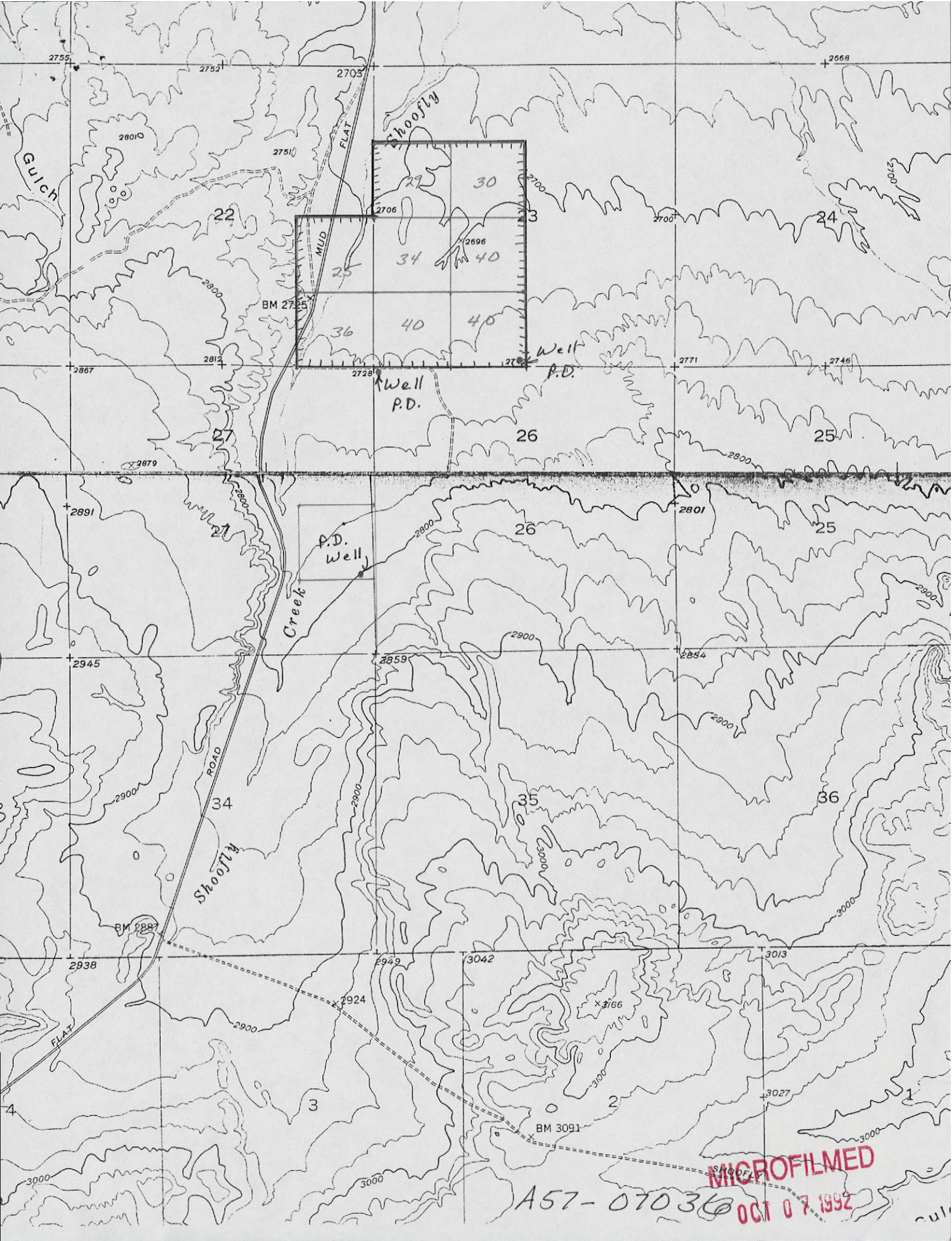




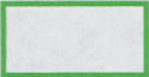
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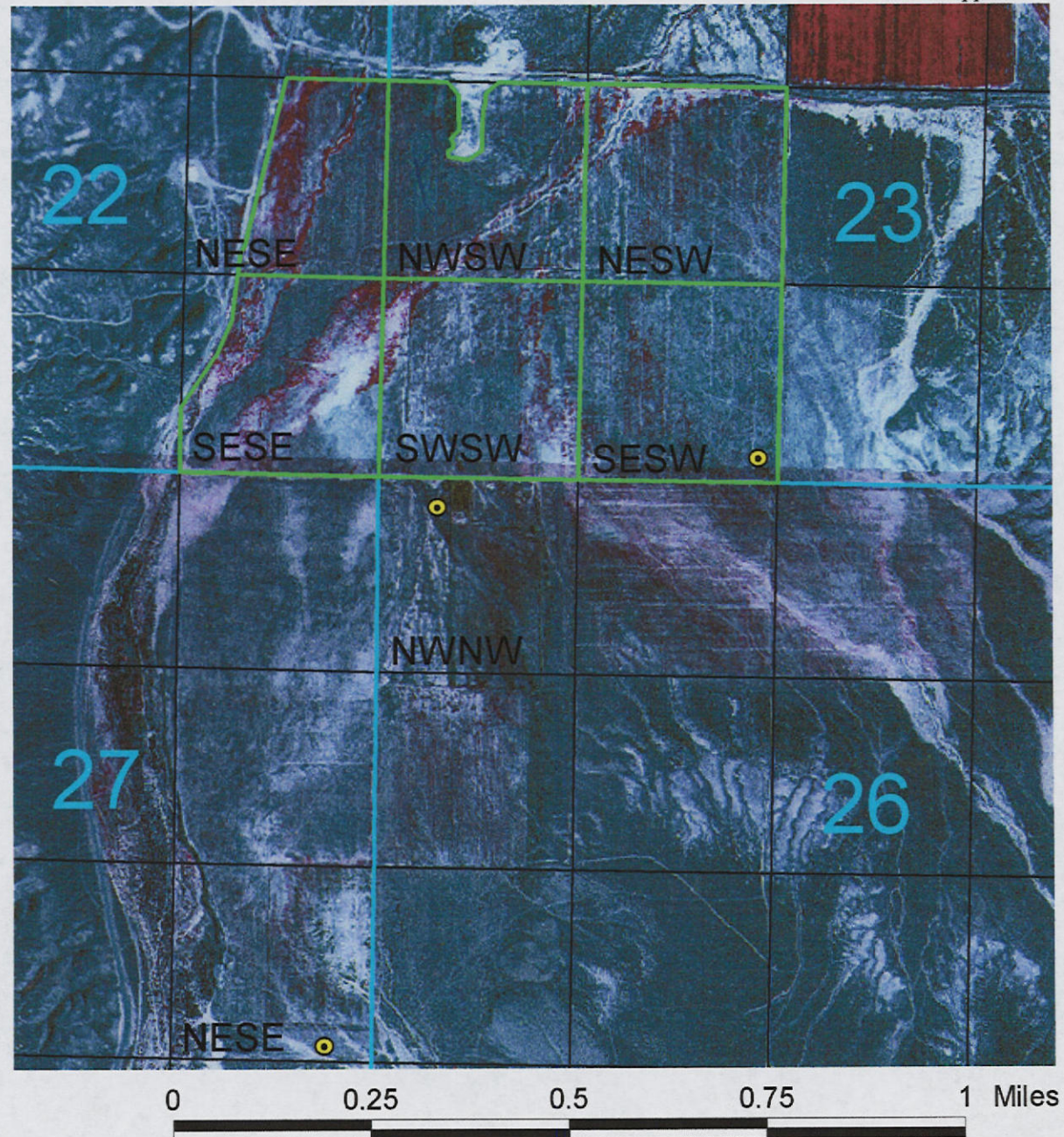
A57-07036 OCT 07 1992

Idaho Department of Water Resources

Claim Number: 57-07036
Legal: T06S, R03E, S22, 23
Reviewed By:

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



RECEIVED

MAR 28 1997

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED,

ROBERT B. DAVIS, a single man

the Grantor, does hereby grant, bargain, sell and convey unto

CLAUDINA L. WILSON, a married woman,

the Grantee, whose current address is 4569 S. 6700 W.,
Hooper, Utah 84315

the following described real property, located in Owyhee County, Idaho, to-wit:

IN TOWNSHIP 6 SOUTH, RANGE 3 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 23: SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26: W $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 27: E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

3 457-07037

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and ditch rights and rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances except: None.

Subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

Taxes and assessments of all taxing units not yet due and payable.

Reservations in patents or state grants or in acts authorizing the issuance thereof.

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

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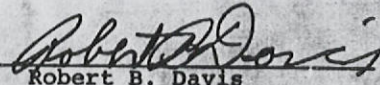
The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

DATED: December 5, 1995

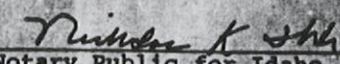

Robert B. Davis

STATE OF IDAHO, COUNTY OF OWYHEE, ss.

On this 5th day of December, 1995, before me, a Notary Public in and for the State, personally appeared Robert B. Davis, known or identified to me to be the person whose name is 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 date and year in this certificate first above written.




Notary Public for Idaho
Residing at Murphy, Idaho
Commission Expires: 11/11/2000

217309

FILED - RECORDED

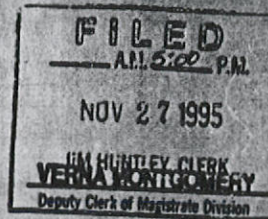
59 DEC 5 AM 10:11


Charles DeBlanc


Robert B. Davis
\$6.00

ROBERT C. MONTGOMERY
Attorney at Law
355 W. Myrtle, Suite 102
Boise, Idaho 83702
Telephone: (208) 384-0003
Telefax: (208) 343-8312

Attorney for Petitioner



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

N THE MATTER OF THE ESTATES OF)
ROBERT C. DAVIS and LOUISE E.)
DAVIS,)

SP95 00560
CASE NO. SP IE 9500424M
DETERMINATION OF HEIRS

Decedents.)

On the 13th day of November, 1995, the Petition of Robert B. Davis, for a Determination of Heirs, came on for hearing before the Court, and the Court having considered the Petition and having considered the evidence pertaining to such Petition,

NOW, THEREFORE, IT IS HEREBY ORDERED AND DECREED THAT:

1. The Court has jurisdiction of this estate, proceeding and subject matter.
2. The time required for the notice has expired.
3. All required notices have been given or waived.
4. Robert C. Davis died December 31, 1984, and Louise E. Davis died March 28, 1992.

5. Venue is proper because at the time of death the

DETERMINATION OF HEIRS - PG. 1

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WESTERN REGION

decedents were both domiciled in Owyhee County, Idaho and owned property in that county.

6. The decedent's estate was never probated and cannot now be probated because more than three (3) years have passed since the decedents' death.

7. The names and addresses of the living heirs of the decedents are as follows:

Robert B. Davis (son)	Claudina L. Wilson (daughter)
HC 85, Box 373	4569 S. 6700 W.
Grandview, Idaho 83624	Hooper, Utah 84315

8. At the time of the decedents' death, they owned the following described community property in Owyhee County, Idaho, which is hereby transferred to their two living heirs named in paragraph 7 above.

Boise Meridian, Owyhee County, Idaho

T. 6 S., R. 3 E.,

Section 23: SW 1/4 SE 1/4

Section 26: W 1/2 NW 1/4, NE 1/4 NW 1/4, NW 1/4 NE 1/4

Section 27: E 1/2 NE 1/4, NE 1/4 SE 1/4

9. In addition to the foregoing and pursuant to the will of Louise E. Davis her doll collection shall be given to her grand children, who consist of the five children of her daughter, Claudina L. Wilson.

10. At the time of the decedent's death, this estate was governed by the provisions of Idaho Code Section 15-2-103 which provides as follows:

The part of the intestate estate not passing to the surviving spouse under section 15-2-102 of this part, or the entire intestate estate if there is no surviving spouse, passes as follows: (a) To the issue of the de-

cedent; if they are all of the same degree of kinship to
the decedent they take equally

DATED

11-22-95

THOMAS J. RYAN

MAGISTRATE

STATE OF IDAHO } ss.
County of Owyhee }

I hereby certify that the foregoing instru-
ment is a true and correct copy of the
original on file in this office.

Date 12-1 19 95
Jim Huntley, Jr., Clerk of the District Court

W. Montgomery
Deputy Clerk

217315

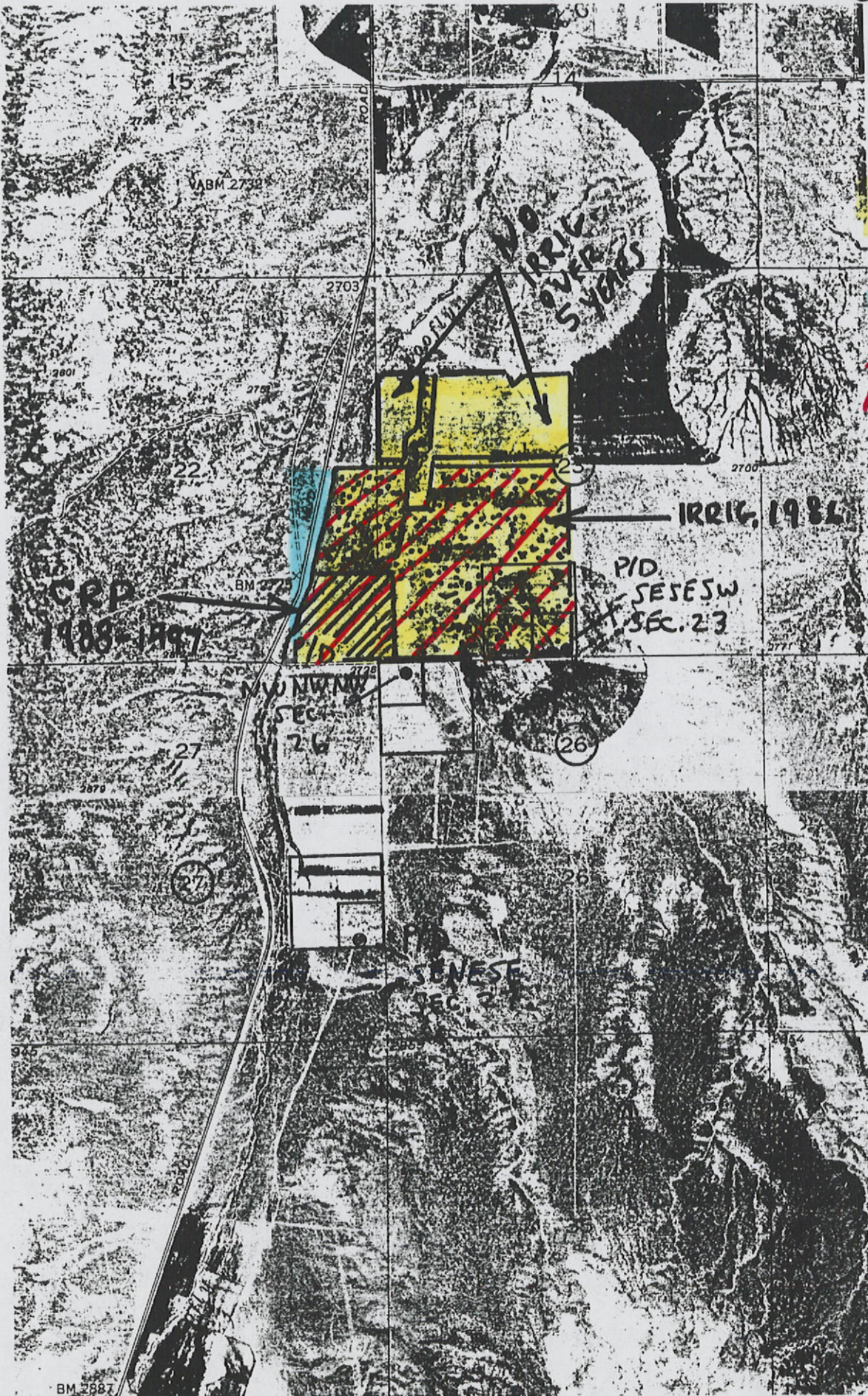
FILED - RECORDED

95 DEC 1 AM 11 30

CLERK
JAMES D. RYAN

CLERK
JAMES D. RYAN

A 57-07036



Inst. #220363

Inst. #
220364

//// =
R57-07036

101 27 256

(WATER RIGHT NUMBERS THAT BEGIN WITH AN *** ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A5707036	T06S R03E S22															25	36	61
0207157J	SNAKE RIVE :	40	40	40	40	40	40	40	40	40	40	40	40					480
5707036	GROUNDWATE :															25	36	61
--86 MAP--	C73Q-AA 10 :				02											34	01 39	76
A5707036	T06S R03E S23							29	40	40	34	40	40					223
NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
R5700185	GROUNDWATE :	40	40	40	32	16												168
R5700186	GROUNDWATE :	40	40	40	32	16												168
R5700187	GROUNDWATE :	40	40	40	32	16												168
R5700188	GROUNDWATE :	40	40	40	32	16												168
R5700189	GROUNDWATE :	40	40	40	32	16												168
R5700190	GROUNDWATE :	40	40	40	32	16												168
R5700191	GROUNDWATE :	40	40	40	32	16												168
5707008	GROUNDWATE :	40	40	40	40	40	22											222
A5707008	GROUNDWATE :	40	40	40	40	40	22											222
5707036	GROUNDWATE :							29	40	40	34	40	40					223
5707037	GROUNDWATE :															25		25
A5707037	GROUNDWATE :															25		25
A5707037	GROUNDWATE :																25	25
5707526	GROUNDWATE :															40	40	80
--86 MAP--	C73Q-AA 10 :	36	41	37	39	26		02	14	37	39	39	42	04	12	15		383

64 16 1892

PICTURE # 1

This land beyond the weeds is in **CRP** for it went into effect in 1988 and will come out in 1997. This picture was from the road looking at the place of use at the South West tip of A57-07036. This is a 48 acre tract.



10/9/90
Rex

PICTURE # 2

This picture shows the most Northern part of the place of use in the background, no evidence of irrigation, **not in CRP**. A57-07036.



10/9/90
Rex

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Oct 6 7 1992

PICTURE # 3

This is more of the land not irrigated in over 5 years according to owner Robert Davis. No evidence of irrigation.



10/9/90
Rch

PICTURE # 4

This picture shows the land just below pictures 2 and 3. This was irrigated with potatoes in 1986 according to Mr. Davis.



10/9/90
Rch

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OCT 07 1992

PICTURE # 5

This is more of the Northern land not irrigated in over 5 years according to owner Robert Davis. No evidence of irrigation.



10/9/90
Rdh

PICTURE # 6

This picture shows the land just below picture 5. This is more of the land that was irrigated with potatoes in 1986 according to Mr. Davis.



10/9/90
Rdh

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OCT 07 1992

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: A57-07036

Date Received: 4/06/1988

Receipt No: 0005/81

Q 1/19/89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT B. DAVIS
Address: STAR RT. BOX 373
GRANDVIEW, ID 83624

2. Date of Priority: NOV 16, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	03E	23	SE	SE	SW		OWYHEE
		26	NW	NW	NW		OWYHEE
		27	SE	NE	SE		OWYHEE

5. Description of diverting works:
WELLS, PUMPS, MAINLINE TO WHEEL LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.810		

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

8. Total consumptive use is 959.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	03E	22	NE	SE		IRR	25.0
			SE	SE		IRR	36.0
						Section Acres	61.0

A57-07036

Page 1

Date: 04/06/88

MICROFILMED
OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	03E	23	SW	NW		IRR	29.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	34.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	223.0
						Total Acres	284.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:
JOINT WELL AGREEMENT ATTACHED. THREE WELLS ARE INTERCONNECTED &
SUPPLY WATER FOR THIS WATER RIGHT AND WATER RIGHT NO. 57-7037.

15. Basis of Claim: LICENSE
Water Right Number:

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): Robert B Davis Date: 1-19-89
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19 day

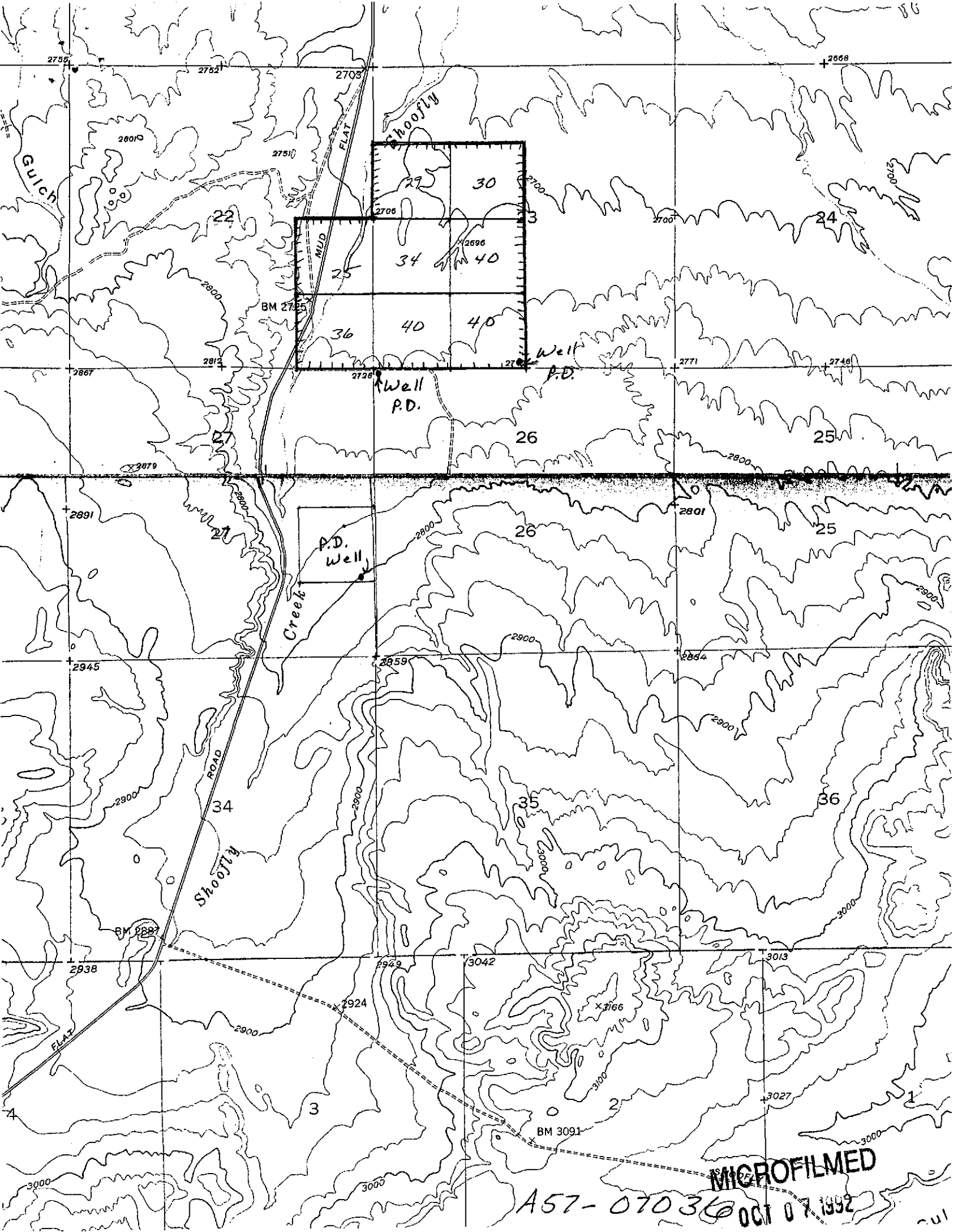
of January 19 89

[Signature]
Notary Public

Seal

Residing at Boise, ID

My Commission Expires June 19, 1994



MICROFILMED

A57-07036 OCT 07 1992

Water Right Number - 57-07036

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

DAVIS

ROBERT B.

1 - STAR RT. BOX 373

2 -

3 -

City- GRANDVIEW

State- ID Zip- 83624

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/16/1969 14 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)06S 03E 23 SE SW (73) OWYHEE
06S 03E 27 NE SE (73) OWYHEE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/01 4.810 1278.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.810 1278.00+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

06S	03E	22	NE SE		25.0	01	IRRIGATION	(73) OWYHEE
06S	03E	22	SE SE		36.0	01	IRRIGATION	(73) OWYHEE
06S	03E	23	SW NW		29.0	01	IRRIGATION	(73) OWYHEE
06S	03E	23	SE NW		40.0	01	IRRIGATION	(73) OWYHEE
06S	03E	23	NE SW		40.0	01	IRRIGATION	(73) OWYHEE
06S	03E	23	NW SW		34.0	01	IRRIGATION	(73) OWYHEE
06S	03E	23	SW SW		40.0	01	IRRIGATION	(73) OWYHEE
06S	03E	23	SE SW		40.0	01	IRRIGATION	(73) OWYHEE

Total Acres: 284.0

+ - - Diversion Means - WELLS & PUMPS.

- - Non-Irrigation Use -

- - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

THIS RT. WHEN COMBINED WITH RT. 57-7037 SHALL NOT EXCEED 4.81
CFS NOR 1726.8 AFA.

THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE

MICROFILMED
OCT 07 1992

Water right number - 57-07036 Adj. flag translation: Standard Water Right Number

+ - - - - Remarks - - - - - +
THAN 0.02 CFS/AC NOR MORE THAN 4.5 AFA/AC FOR THE LANDS ABOVE.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
016 - See remarks for additional conditions of approval.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 01/21/85 05/01/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 03/01/1975	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 03/12/1970	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 01/21/1985	DLE/Carey Act	- D
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 05/24/1983	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Microfilm Roll No	-	Presumption Flag	-

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OCT 07 1992

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____

**NOTICE OF CLAIM
TO A
WATER RIGHT**

_____ DRAINAGE BASIN.

57-7036	
I.D. No.	Map No.
\$ 10	23107
Fee Paid	Receipt No.

Notice is hereby given that _____
(Name of Claimant)

Box 373 Star Line _____
(Mailing Address)

_____ Telephone No. _____
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) _____

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) _____
tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 4.81 Use A Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 4.81 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source 1/4 1/4
Sec. _____, Twp. _____, Rge. _____, B.M., _____ County
Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____

200 HP Motor & Pipeline System

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

MICROFILMED

OCT 07 1992

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Upper Shoofly
DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

57-7036 I.D. No.		Department of Water Resources Map No.	
\$ 10 Fee Paid	23107 Receipt No.		

Notice is hereby given that Robert B. Davis

(Name of Claimant)

Box 373

Star Route

Grandview, ID

83624

Telephone No.

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 11/16/1969
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Groundwater tributary to _____
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | |
|--|--|--|-----------------------------------|
| Quantity <u>2.17 549</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>4/1 3/15</u>
(Mo., Day) | To <u>10/1 11/5</u>
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
- (4) 2.17 549 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 23, Twp. 6S, Rge. 3E, B.M., Owyhee 73 County
Additional Points: NESE, S 27, 63, 3E
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
200 HP Motor & Sprinkler System
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	3E	22													25			36	61
		23							29	40	40	34	40	40					223

Total no. of acres 284

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:
- (8) Remarks
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

VIA 83 1P
KEYPUNCHED

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. Lic. 57-7036

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

12-17-82
(Date)

Individual

Robert B. Davis
(Signature of Claimant)

Organization

(Signature of Spouse)

State of Idaho

Organization

County of Owyhee

ss.

Seal

(Signature of Authorized Agent)

On this 17th day of

December

in the year

1982

before me

a notary public, personally appeared

Robert B. Davis

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that he, she, they, corporation, partnership or individual executed the same.

My commission expires

July 17, 1986

Notary Public residing at

Alice G. McLeary
Grand View, Idaho

25 1/11/83

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF _____

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-7036	
I.D. No.	Map No.
\$ 10	23107
Fee Paid	Receipt No.

Notice is hereby given that Robert B. Davis

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Grandview, ID

83624

Telephone No. _____

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) _____

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) _____

tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 17 Use Irrigation Period of Use From 4/1 To 10/1
 (CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
 (Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
 (CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
 (Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
 (CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
 (Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
 (CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
 (Both dates inclusive)

(4) _____ TOTAL QUANTITY CLAIMED.

(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ SW $\frac{1}{4}$
 Sec. _____, Twp. 6S, Rge. 3E, B.M., Owyhee County

Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____

200 HP Motor & Sprinkler System

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
															25			36	61
65	3E	22							20	40	40	31	40	40					223
		23																	

Total no. of acres 284

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 116. 7-7136

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

Robert B. Davis
 (Signature of Claimant)

Organization

(Signature of Spouse)

State of _____

Organization

County of Owyhee

Seal

(Signature of Authorized Agent)

On this 17th day of November in the year 1982 before me

a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires July 17, 1986

Notary Public residing at _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-07036

Date: 3-17-03

	TNS	RNG	SEC	NE				NW				SW				SE				SUM
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	6S	3E	22													25			36	61
GIS																25			36	61
Claim			23									40	34	40	40					154
GIS												41	38	41	41					161
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 3

Total Claimed Acres: 215

Overlapping FOU Claim #'s:

Total GIS Acres: 222

COMMENTS:

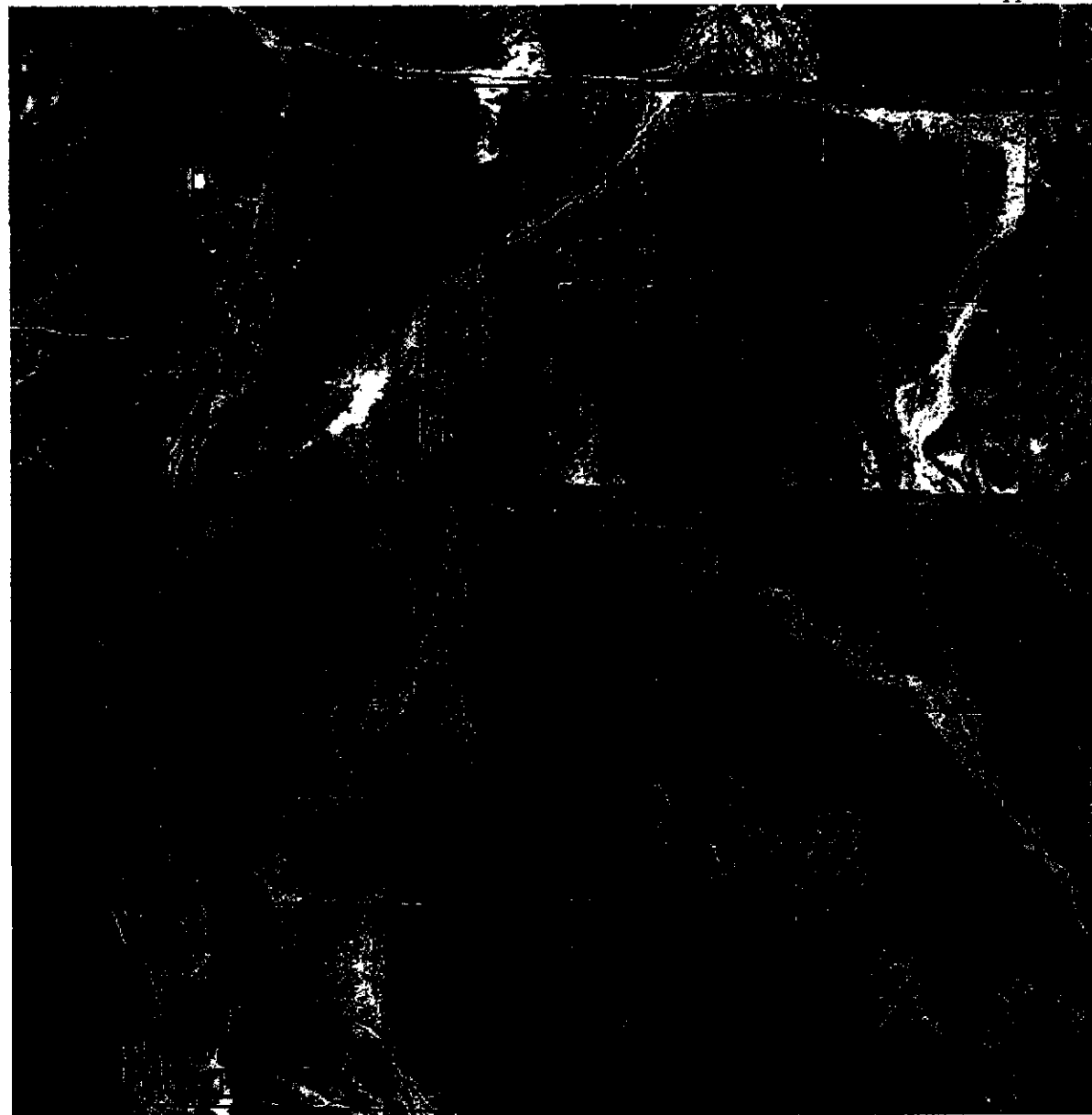
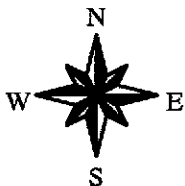
County data indicates claimant doesn't own these parcels.
Per claim map + image interpretation.

Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 57-07036
Legal: T06S, R03E, S22, 23
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



0 0.25 0.5 0.75 1 Miles



AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-1-1997
PAGE: A-2-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-07036

NAME & ADDRESS: RANDY HIPWELL
PO BOX 212
GRANDVIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 4.3 CFS
967.5 AFYUSE OF THIS RIGHT WITH RIGHT NO. 57-07037 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.76 CFS.

PRIORITY DATE: 11/16/1969

POINT OF DIVERSION: T06S R03E S23 SESESW Within Owyhee County
S26 NWNWNW
S27 SENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	4.3 CFS 967.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T06S R03E S22	NESE 25.0	SESE 36.0		
	S23	NESW 40.0	NWSW 34.0	SWSW 40.0	SESW 40.0
	215.0 ACRES TOTAL				

CONSUMPTIVE USE: 752.5 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT NO. 57-07037 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

NOV 27 1996

Department of Water Resources

DATE OF CLOSING: November 14, 1995

LEGAL DESCRIPTION OF PROPERTY: Township 6 South Range 3 East
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet. ****See Attached**

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WATER RESOURCES
WESTERN REGION

☐ 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: A57-07036, A57-07037

☐ Name and Address of Former Owner/Claimant(s)(Seller): Robert B Davis
STAR RT Box 373

☐ New Owner/Claimant (Purchaser): Grandview 83624
Randy Hipwell

☐ New Mailing Address: P.O. Box 212
Grandview, Idaho 83624

☐ New Telephone Number: (208) 834 - 2212

☐ 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: Sale and Assignment of Redemption Rights
Order Confirming Sale and Disbursing Funds
Certificate of Sale Parcel 1

(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) Randy Hipwell Date 11-26-96

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

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 townsite 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.

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NOV 27 1996

WATER RESOURCES
WESTERN REGION

EXHIBIT A
TO
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Real property located in Owyhee County, Idaho, more particularly described as follows:

Parcel I: In Township 6 South, Range 3 East, Boise Meridian, Owyhee County, Idaho.

Section 22: The East Half of the Southeast Quarter.

Section 23: The South Half of the Northwest Quarter, and the Southwest Quarter.

EXCEPTING THEREFROM the following: A parcel of land beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter, Section 22, Township 6 South, Range 3 East, Boise Meridian, Owyhee County, Idaho; thence East along the North line of said Northeast Quarter of the Southeast Quarter 697.0 feet; thence Southwesterly 2,730 feet, more or less, to the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 22; thence North 2,640 feet, more or less, along the West line of the East Half of the Southeast Quarter of said Section 22 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 water and ditch rights under State of Idaho Well Permits #57-7036 and #57-7037.

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NOV 27 1996

WATER RESOURCES
WESTERN REGION

SALE AND ASSIGNMENT OF REDEMPTION RIGHTS

THIS SALE AND ASSIGNMENT, made this 4th day of December, 1995, between Robert B. Davis, a single man, the party of the first part, and Randy Hipwell, of P.O. Box 212, Grand View, Idaho 83624, the party of the second part.

WHEREAS, the party of the first part was the owner of real and personal property located in Owyhee County, Idaho, that was subject to various mortgages in favor of the Farmers Home Administration, United States Department of Agriculture, said property being more particularly described as follows:

Parcel I: In Township 6 South, Range 3 East, Boise Meridian, Owyhee County, Idaho.

Section 22: The East Half of the Southeast Quarter.

Section 23: The South Half of the Northwest Quarter, and the Southwest Quarter.

EXCEPTING THEREFROM the following: A parcel of land beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter, Section 22, Township 6 South, Range 3 East, Boise Meridian, Owyhee County, Idaho; thence East along the North line of said Northeast Quarter of the Southeast Quarter 697.0 feet; thence Southwesterly 2,730 feet, more or less, to the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 22; thence North 2,640 feet, more or less, along the West line of the East Half of the Southeast Quarter of said Section 22 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 water and ditch rights under State of Idaho Well Permits #57-7036 and #57-7037.

Including but not limited to the following described equipment to the extent that it still exists:

- 1 1/4 mile x 3" hand lines
- 11 1/4 mile x 4" wheel lines
- 1 1/3 mile x 12" buried steel mainline
- 1 1/4 mile x 10" alum portable mainline with risers
- 1 1/4 mile x 8" alum portable mainline with risers
- 1 1/4 mile x 6" alum portable mainline with risers
- 2 200 HP Electric Pump and Motor Newman 200 HP
Ser #NOS1169203
- 7 Wheel Lines
- 1 1/2 mile x 6" alum mainline with risers
- 1 1/4 mile x 8" alum mainline with risers
- 1 1/4 mile x 5" wheel lines
- 1 3/4 mile x 10" alum portable mainline with risers
- 2 Sets wheels for wheel lines, and,

WHEREAS, an Order of Default Judgment and Decree of Foreclosure was entered in the United States District Court for the District of Idaho, United States of America, Plaintiff, vs. Robert B. Davis, et al., Defendants, Civil No. 92-0130-S-EJL, on February 16, 1995, whereby the above-described property was ordered sold at a Marshal's Sale, and,

WHEREAS, pursuant to Second Order for Sale dated October 6, 1995, David A. Hunt, Deputy United States Marshal for the District of Idaho sold the above-described property at public auction, according to law, on November 14, 1995, to Randy Hipwell, the party of the second part herein, for the sum of \$106,000.00 and a Certificate of Sale, Parcel 1, was executed and delivered to Randy Hipwell on November 14, 1995, and was recorded in the office of the County Recorder for Owyhee County, Idaho, on November 27, 1995, as Instrument No. 217274, and,

WHEREAS, the party of the first part desires to sell and assign all of his rights in and to the above-described property and all of his redemption rights in and to the above-described property to the party of the second part, NOW, THEREFORE;

That the said party of the first part, for and in consideration of the sum of ONE AND NO/100 DOLLARS, and other good and valuable consideration, lawful money of the United States of America, to him in hand paid by the party of the second part, the receipt whereof is hereby acknowledged does by these presents sell, assign, remise, release, convey and forever quitclaim, unto the said party of the second part, and to his heirs and assigns, all that certain real and personal property situated in the County of Owyhee, State of Idaho, and particularly described above and all of his redemption rights in and to said real and personal property as provided by Idaho Code § 11-310 and Idaho Code § 11-401 et seq.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.


Robert B. Davis

STATE OF IDAHO,)
COUNTY OF Blaine,) ss.

On this 4th day of December, 1995, before me, the undersigned, a Notary Public in and for said state, personally appeared Robert B. Davis, a single man, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

Sherida Tyler
Notary Public for Idaho,
Residing at Mtn. Home, ID.

217338

FILED-RECORDED

'95 DEC 5 AM 9 37

JAN 11 1996
COUNTY OF BLAINE
Donna De Vetter

Notary Public for Idaho
George H. Henshaw
Mtn. Home, ID.

217274

FILED-RECORDED

55 NOV 27 PM 1 13

Deane D. Richard

13 Oct 1995

BETTY H. RICHARDSON
UNITED STATES ATTORNEY
ANDREA M. POGUE
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF IDAHO
FIRST INTERSTATE CENTER
877 WEST MAIN STREET, SUITE 201
BOISE, IDAHO 83702
TELEPHONE: (208) 334-1211
MAILING ADDRESS:
BOX 32
BOISE, IDAHO 83707

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CIVIL NO. 92-0130-S-EJL

CERTIFICATE OF SALE
PARCEL 1

ROBERT B. DAVIS, a Single Man;
FIRST IDAHO CORP., an Idaho
Corporation, Now Forfeited; FARM
CREDIT BANK OF SPOKANE,
SUCCESSOR in INTEREST of
Interstate Production Credit
Association; B. L. McCALLIE and
BETTY JEAN McCALLIE, Husband and
Wife; IDAHO POWER COMPANY; THE
UNKNOWN HEIRS, DEVISEES,
SUCCESSORS IN INTEREST AND
CLAIMANTS TO THE ESTATE OF
ROBERT C. DAVIS, DECEASED, and
THE UNKNOWN HEIRS, DEVISEES,
SUCCESSORS IN THE INTEREST AND
CLAIMANTS TO THE ESTATE OF
LOUISE E. DAVIS, DECEASED,

Defendants.

Under and by virtue of an Order of Default Judgment and Decree
of Foreclosure filed in the above-entitled Court in said action on
the 16th day of February, 1995, and under the authority of an Order

1 Order of Sale thereon duly issued out of said Court, attested on
2 the 6th day of October, 1995, and to me, the undersigned,
3 directed and delivered, as United States Marshal for the District
4 of Idaho, whereby I was commanded to sell the mortgaged real and
5 personal property in said decree, and hereinafter described
6 according to law, and to apply the proceeds of sale in satisfaction
7 of the judgment in said action amounting to \$265,909.94, plus
8 interest and costs as specified in said decree.

9 I, DAVID A. HUNT, Deputy United States Marshal for
10 the District of Idaho, do hereby certify that I sold the said
11 property hereinafter described on the 14th day of November, 1995,
12 at 1:30 p.m. of the said day, at public auction, according to law,
13 after due and legal notice given, on the steps of the County
14 Courthouse at Murphy, Idaho, Owyhee County, to _____

15 RANDY HIPWELL, P.O. Box 212, GRANDVIEW, ID 83624
16 _____

17 for \$ 106,000⁰⁰, said party being the highest bidder and
18 that sum the highest bid therefor.

19 That the said property is situate in the County of Owyhee,
20 State of Idaho, and is particularly described as follows:

21 PARCEL 1: IN TOWNSHIP 6 SOUTH, RANGE 3 EAST, B.M.,
22 OWYHEE COUNTY, IDAHO

23 Section 22: E $\frac{1}{2}$ SE $\frac{1}{4}$

24 Section 23: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$

25 EXCEPTING THEREFROM the following: A parcel of
26 land beginning at the Northwest corner of the
27 NE $\frac{1}{2}$ SE $\frac{1}{4}$, Section 22, Township 6 South, Range 3 East,
28 B.M., Owyhee County, Idaho; thence East along the
North line of said NE $\frac{1}{2}$ SE $\frac{1}{4}$ 697.0 feet; thence
Southwesterly 2,730 feet, more or less, to the
Southwest corner of the SE $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 22;

thence North 2,640 feet, more or less, along the West line of the E½SE¼ of said Section 22 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 water and ditch rights under State of Idaho Well Permits #57-7036 and #57-7037.

Including but not limited to the following described equipment to the extent that it still exists:

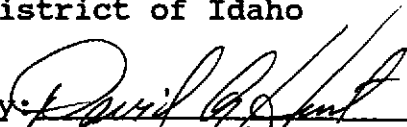
- 1 1/4 mile x 3" hand lines
- 11 1/4 mile x 4" wheel lines
- 1 1/3 mile x 12" buried steel mainline
- 1 1/4 mile x 10" alum portable mainline w/risers
- 1 1/4 mile x 8" alum portable mainline w/risers
- 1 1/4 mile x 6" alum portable mainline w/risers
- 2 200 HP Electric Pump & Motor Newman 200 HP Ser #NOS1169203
- 7 Wheel Lines
- 1 1/2 mile x 6" alum mainline w/risers
- 1 1/4 mile x 8" alum mainline w/risers
- 1 1/4 mile x 5" wheel lines
- 1 3/4 mile x 10" alum portable mainline w/risers
- 2 Sets wheels for wheel lines

Commonly known address is: HC85, Box 373
Grand View, Idaho 83624

That said property was by order of the court sold in one separate parcel; that the highest bid therefor was \$106,000⁰⁰, which sum was the whole price paid for the same; and that said property is subject to a period of redemption of the foreclosed property to and including one year from the date of the sale, pursuant to Idaho Code Section 11-310.

WITNESS my hand this 14th day of November, 1995.

JAMES BENHAM
United States Marshal for the
District of Idaho

By: 
Deputy Marshal

1 STATE OF IDAHO)
2) ss.
3 COUNTY OF Ada)

4 On this 14th day of November, 1995, before me,
5 the undersigned, a Notary Public in and for the State of Idaho,
6 personally appeared Insp. David A. Hunt, Deputy United
7 States Marshal for the District of Idaho, known to me to be the
8 person whose name is subscribed to the within instrument, and
9 he/she acknowledged to me that he/~~she~~ executed the same for the
10 uses and purposes therein set forth.

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

13 Joseph A. Shelton
14 Notary Public
15 for the State of Idaho
16 Residing at: Boise, Idaho
17 My Commission expires: 3/22/99
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U.S. DISTRICT COURT
DISTRICT OF IDAHO
Filed at _____

FEB 7 1996

CLERK, U.S. DISTRICT COURT

By _____ Deputy

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT B. DAVIS, a Single Man; FIRST
IDAHO CORP., an Idaho Corporation,
Now Forfeited; FARM CREDIT BANK OF
SPOKANE, SUCCESSOR in INTEREST of
Interstate Production Credit
Association; B. L. McCALLIE and BETTY
JEAN McCALLIE, Husband and Wife; IDAHO
POWER COMPANY; THE UNKNOWN HEIRS,
DEVISEES, SUCCESSORS IN INTEREST AND
CLAIMANTS TO THE ESTATE OF ROBERT C.
DAVIS, DECEASED, and THE UNKNOWN
HEIRS, DEVISEES, SUCCESSORS IN
INTEREST AND CLAIMANTS TO THE ESTATE
OF LOUISE E. DAVIS, DECEASED,

Defendants.

Civil No. 92-0130-S-EJL

ORDER CONFIRMING SALES
AND DISBURSING FUNDS

This cause coming on for further consideration on the motion
of the plaintiff, United States of America, to approve and
confirm the sales made herein on the 14th day of November, 1995,
by the United States Marshal for the District of Idaho, pursuant

1 to the Order of Default Judgment and Decree of Foreclosure of
2 this Court filed herein on the 16th day of February, 1995, and
3 the Second Order of Sale issued on the 6th day of October, 1995,
4 and the Report and Account of Sales by Marshal filed on the
5 4th day of December, 1995,

6 And it appearing that said sales were in all respects
7 legally and properly conducted and the report of said Marshal
8 being in proper form,

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said sales
10 be and the same are hereby approved and confirmed, and

11 IT IS FURTHER ORDERED that proper and legal conveyances of
12 all of said properties so sold be executed and delivered by said
13 Marshal to the persons described as purchasers in the Report and
14 Account of Sales by Marshal filed herein on the 4th day of
15 December, 1995, upon expiration of the period of redemption if
16 said properties have not been redeemed according to law.

17 IT IS FURTHER ORDERED that said Marshal, from the
18 \$136,000.00 proceeds of said sales, retain his costs in the
19 amount of \$2,876.30, pay to the United States Attorney costs of
20 \$1,834.64 incurred for docket fees, publication fees, service
21 fees, and recording fees, plus \$120.00 for filing fees pursuant
22 to 28 U.S.C. 2412(a)(2), and pay over to the plaintiff, United
23
24
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1 States of America, the balance of \$131,169.06 in satisfaction of
2 its judgment.

3 Dated this 21 day of February, 1995.
4

5 **EDWARD J. LODGE**

6 **UNITED STATES DISTRICT JUDGE**
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RECEIVED

MAR 28 1997

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

WARRANTY DEED RECEIVED,

JOHN DAVIS, a single man

does hereby grant, bargain, sell and convey

to JUDITH A. DAVIS, married woman,

whose current address is 4569 S. 6700 W.,
Hooper, Utah 84315

all the above described real property, located in Owyhee
County, to wit:

SOUTH, RANGE 3 EAST, B. M., OWYHEE COUNTY,

NE1/4, NW1/4, NE1/4

NE1/4, NW1/4, NW1/4, NE1/4
NE1/4, NE1/4

3 457-07037

and singular the tenements, hereditaments
thereunto belonging or in anywise
including all water and ditch rights and
water and ditches.

and the said premises, with their
the said Grantee, her heirs and assigns
the said Grantor does hereby covenant to and
that he is the owner in fee simple of
the said premises are free from all
None.

assessments, covenants, restrictions
appear of record or by use upon

of all taxing units not yet due and

in acts
thereof.

between any irrigation district
situated and any government or

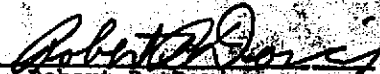
and bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation, or by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting

the premises or any way or easements affecting the premises, whether or not evidenced or acquired and whether the same are recorded or not.

WITNESSED my hand and seal this 5th day of December, 1995


Robert B. Davis

NOTARY PUBLIC, COUNTY OF OWYHEE, SS.

On this 5th day of December, 1995, before me, a Notary Public in and for the State, personally appeared _____, known or identified to me to be the person whose name is subscribed to the within instrument, and he acknowledged to me that he executed the same.

I have hereunto set my hand and seal the date and year in this instrument written.


Notary Public for the State of Oregon

Residing at _____

Commission Expires _____

RECORDED
DEC 10 1995

MONTGOMERY
Law
Suite 102
3702
(208) 384-0003
(208) 343-8312

Attorney for Petitioner

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OCHIL

THE MATTER OF THE ESTATES OF
DAVIS and LOUIE E.

Decedents.

SP4500360
CASE NO. SP4500360
DETERMINATION OF HEIRS

On the 15th day of November, 1995, the Petitioner, [redacted],
Petitioner for a Determination of Heirs, came on for hearing [redacted]
and the Court having considered the Petition and
evidence pertaining to such Petition,
THEREFORE, IT IS HEREBY ORDERED AND DECREE THAT
this Court has jurisdiction of this estate, [redacted]
subject matter.

The time required for the notice has expired
required notices have been given or waived
Davis died December 31, 1984 [redacted]
March 28, 1992.
Venue is proper because at the time of death the

RECEIVED
MAR 28 1997
WATERBURY
WESTERN

decedents were both domiciled in Owyhee County, Idaho and owned property in that county.

6. The decedent's estate was never probated and cannot now be probated because more than three (3) years have passed since the decedents' death.

7. The names and addresses of the living heirs of the decedents are as follows:

Robert B. Davis (son)	Claudina L. Wilson (daughter)
HC 85, Box 373	4569 S. 6700 W.
Grandview, Idaho 83624	Hooper, Utah 84315

8. At the time of the decedents' death, they owned the following described community property in Owyhee County, Idaho, which is hereby transferred to their two living heirs named in paragraph 7 above.

Boise Meridian, Owyhee County, Idaho

T. 6 S., R. 3 E.,

Section 23: SW 1/4 SE 1/4

Section 26: W 1/2 NW 1/4, NE 1/4 NW 1/4, NW 1/4 NE 1/4

Section 27: E 1/2 NE 1/4, NE 1/4 SE 1/4

In addition to the foregoing and pursuant to the will of Louise E. Davis her doll collection shall be given to her grand children, who consist of the five children of her daughter, Claudina L. Wilson.

10. At the time of the decedent's death, this estate was governed by the provisions of Idaho Code Section 15-2-103 which provides as follows:

The part of the intestate estate not passing to the surviving spouse under section 15-2-102 of this part, or the entire intestate estate if there is no surviving spouse, passes as follows: (a) To the issue of the de-

cedent; if they are all of the same degree of kinship to
the decedent they take equally

11-22-95

THOMAS J. RYAN

MAGISTRATE

STATE OF IDAHO } ss.
County of Owyhee }

I hereby certify that the foregoing instru-
ment is a true and correct copy of the
original on file in this office.

Date 12-1-95

Jim Bentley, Jr., Clerk of the District Court

[Signature]
Deputy Clerk

[Signature]

[Signature]

95 DEC 1 PM 11:30

CONTRACT FOR PURCHASE OF REAL PROPERTY

RECEIVED

Parties:

Claudina Davis Wilson

Subject:

Real Property located
Owyhee County, Idaho

FEB 24 1997

WATER RESOURCES
WESTERN REGION

SELLER

Randy Hipwell, or Nancy Hipwell

BUYERS

Contract for purchase is made this 12 June 1996 between Claudina Davis Wilson, the seller, and Randy Hipwell or Nancy Hipwell whose is P.O. Box 212, Grandview, Idaho, 83624, the Buyers.

For and in consideration of the sum of ONE HUNDRED TWENTY FOUR THOUSAND DOLLARS (\$124,000.00) to be paid as hereinafter specified, the SELLER hereby agree to sell and convey and the BUYERS hereby agree to buy the following described real property located in the County of Owyhee, State of Idaho and particularly described as follows:

Township 6 S. R. 3 E. BM Owyhee County

Sec. 23. SW 1/4 SE 1/4

Sec. 26. NW 1/4 NE 1/4; NE 1/4, W 1/2 NW 1/4;

Sec. 27. E 1/2 NE 1/4; NE 1/4 SE 1/4.

3 AS 7-07037

1. THE PURCHASE PRICE. The Buyer agree to pay the Seller for said property in the said sum of \$124,000.00; in the manners as follows:

\$10,000.00 on 12 June 1996 to Claudina Davis Wilson

The balance of \$114,000.00 Amortized over a period of twenty years and shall be payable in 20 equal annual payments. Payable on 20 April 1997 and each date until paid for in full.

2. INTEREST. The deferred balance provided for in this contract shall bear intrest at the rate of 6 1/2 percent per annum.

3. CRP. The buyer hereby agree to pay to Seller the CRP payments normally recieved \$ 9400.00 in December 1996,97,98, respectively.

4. PREPAYMENT. The Buyer shall have the right to prepay any part of said purchase price, without penalty.

5. TAXES AND ASSESSMENTS. The Buyer shall pay and discharge all unpaid taxes and assessments levied against property, which shall be accountable as partial payment on first payment, with intrest thereon being the same.

6. POSSESSION. The Buyer shall be entitled to the immediate possession of said property upon the closing date and may continue in possession of said property so long as it complies with the terms of this contract. Buyer shall have the right to rent all or are partial upon sellers approval.

7. CARE OF PROPERTY. The Buyer shall keep up and maintain and improvements on said property including buildings, fences, and wells, in as good a condition as the same now are, natural wear and tear from the ordinary use thereof excepted. Shall have permission to replace existing aluminum pipe with pivots.

8. SAFETY DEPOSIT BOX. Shall be acquired by both parties and shall act same as Bank Escrow.

9. SUCCESSORS AND ASSIGNS. The terms and conditions of the contract shall extend to and be binding upon the successors and assigns of the respective parties hereto.

10. ENDANGERED SPECIES ACT. In the event this act is activated and well water is shut off this contract shall be open for negotiation.

IN WITNESS WHEREOF, the said parties have hereunto set their hand the day, the year in this contract first above written.

Date 6-12-96

Claudina (Doris) Wilson
Claudina Davis Wilson

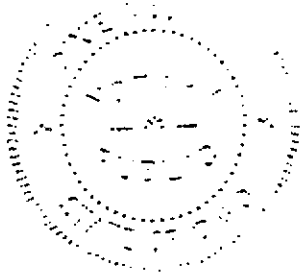
Date 6-12-96

Randy Hipwell
Randy Hipwell

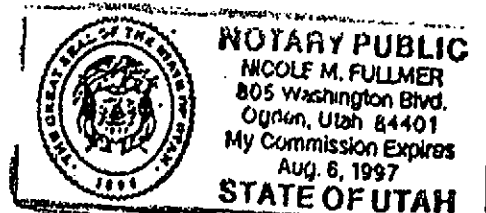
Nancy Hipwell
Nancy Hipwell

Date 6-12-96

Nicole M. Fullmer
Notary



Date 6-12-96



Doris McDance
Notary
State of Idaho
County of Owyhee
Expires 12-19-2000

DEC 26 1996

WATER RESOURCES
WESTERN REGIONUNITED STATES MARSHAL'S DEED

THIS DEED, made and entered into this 21st day of November, 1996, between James H. Benham, United States Marshal for the District of Idaho, by virtue of his office, of the first part, and Randy Hipwell, P. O. Box 212, Grandview, Idaho, 83624, of the second part;

WHEREAS, in and by an Order of Default Judgment and Decree of Foreclosure filed on the 16th day of February, 1995, in and by the District Court of the United States, held in and for the District of Idaho, in a suit then pending in said court, wherein the United States of America was plaintiff and Robert B. Davis and others were defendants, it was, among other things, ordered, adjudged and decreed that the mortgaged premises described in the Amended Complaint and in the Order of Default Judgment and Decree of Foreclosure in said action be sold at public auction by the United States Marshal for the District of Idaho in the manner directed by law, a copy of which Order of Default Judgment and Decree of Foreclosure, with a Second Order of Sale thereon, was duly issued and delivered to said Marshal, requiring him to make sale of said property as therein directed;

AND WHEREAS, in obedience to said Order of Default Judgment and Decree of Foreclosure and Second Order of Sale, and after due public notice given as required by law, the said Marshal did, on the 14th day of November, 1995, at 1:30 p.m. of said day, duly sell at public auction the premises described to Randy Hipwell, P. O. Box 212, Grandview, Idaho, 83624, for the sum of \$106,000.00, that being the highest and best bid and he being the

1 highest and best bidder, which will more fully appear by
2 reference to a Certificate of Sale Parcel 1 given to said Randy
3 Hipwell, P. O. Box 212, Grandview, Idaho, 83624, on behalf of the
4 said United States Marshal bearing date of the 14th day of
5 November, 1995, by virtue of which purchase and certificate the
6 said Randy Hipwell, P. O. Box 212, Grandview, Idaho, 83624,
7 became entitled to a deed for the said premises from the United
8 States Marshal since said property was not redeemed as provided
9 by law.

10 NOW, THEREFORE, I, James H. Benham, United States Marshal of
11 said District, by virtue of my office, for and in consideration
12 of \$106,000.00, have sold and by these presents do sell all the
13 real and appurtenant property situated in the County of Owyhee,
14 State of Idaho, and more particularly described as follows:

15 PARCEL 1: IN TOWNSHIP 6 SOUTH, RANGE 3 EAST, B.M.,
16 OWYHEE COUNTY, IDAHO

17 Section 22: E $\frac{1}{2}$ SE $\frac{1}{4}$

18 Section 23: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$

→ A57-07036

19 EXCEPTING THEREFROM the following: A parcel of land
20 beginning at the Northwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
21 Section 22, Township 6 South, Range 3 East, B.M.,
22 Owyhee County, Idaho; thence East along the North line
23 of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 697.0 feet; thence Southwesterly 2,730
24 feet, more or less, to the Southwest corner of the
25 SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 22; thence North 2,640 feet,
26 more or less, along the West line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ of said
27 Section 22 to the POINT OF BEGINNING.

28 Together with all water and water rights, ditches and
ditch rights used thereon or appurtenant thereto,
including but not limited to water and ditch rights
under State of Idaho Well Permits #57-7036 and #57-
7037.

Including but not limited to the following described
equipment to the extent that it still exists:

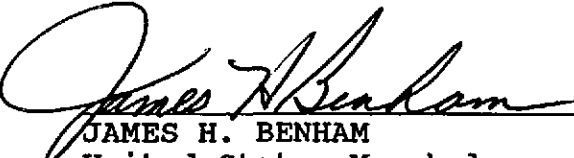
- 1 1/4 mile x 3" hand lines
- 11 1/4 mile x 4" wheel lines

1 1/3 mile x 12" buried steel mainline
1 1/4 mile x 10" alum portable mainline w/risers
1 1/4 mile x 8" alum portable mainline w/risers
1 1/4 mile x 6" alum portable mainline w/risers
2 200 HP Electric Pump & Motor Newman 200 HP
Ser #NOS1169203
7 Wheel Lines
1 1/2 mile x 6" alum mainline w/risers
1 1/4 mile x 8" alum mainline w/risers
1 1/4 mile x 5" wheel lines
1 3/4 mile x 10" alum portable mainline w/risers
2 Sets wheels for wheel lines

Commonly known address is: HC85, Box 373
Grand View, Idaho 83624

TO HAVE AND TO HOLD, the above-described premises with the
appurtenances unto said grantee and assigns forever.

IN WITNESS WHEREOF, said grantor as Marshal aforesaid, doth
hereunto set his hand the day and year first above written.

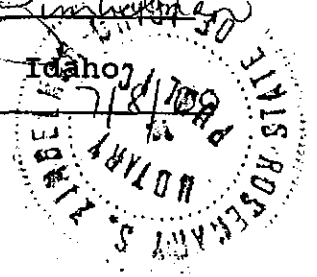

JAMES H. BENHAM
United States Marshal
For the District of Idaho

STATE OF IDAHO)
: ss.
COUNTY OF ADA)

I, the undersigned, a Notary Public for the State of Idaho,
do hereby certify that James H. Benham, United States Marshal for
the District of Idaho, who is to me known to be the person who
executed the foregoing deed of conveyance, this day personally
appeared before me and acknowledged that he executed the same as
said United States Marshal for the District of Idaho, for the
uses and purposes therein set forth.

1 IN WITNESS WHEREOF, I have hereunto set my hand and affixed
2 my seal at the City of Boise, State of Idaho, this 21st day of
3 November, 1996.

4
5 Rosemary D. Zimmerman
6 NOTARY PUBLIC
7 Residing at Boise, Idaho
8 My Bond Expires: 7/8/2000



220363

FILED-RECORDED

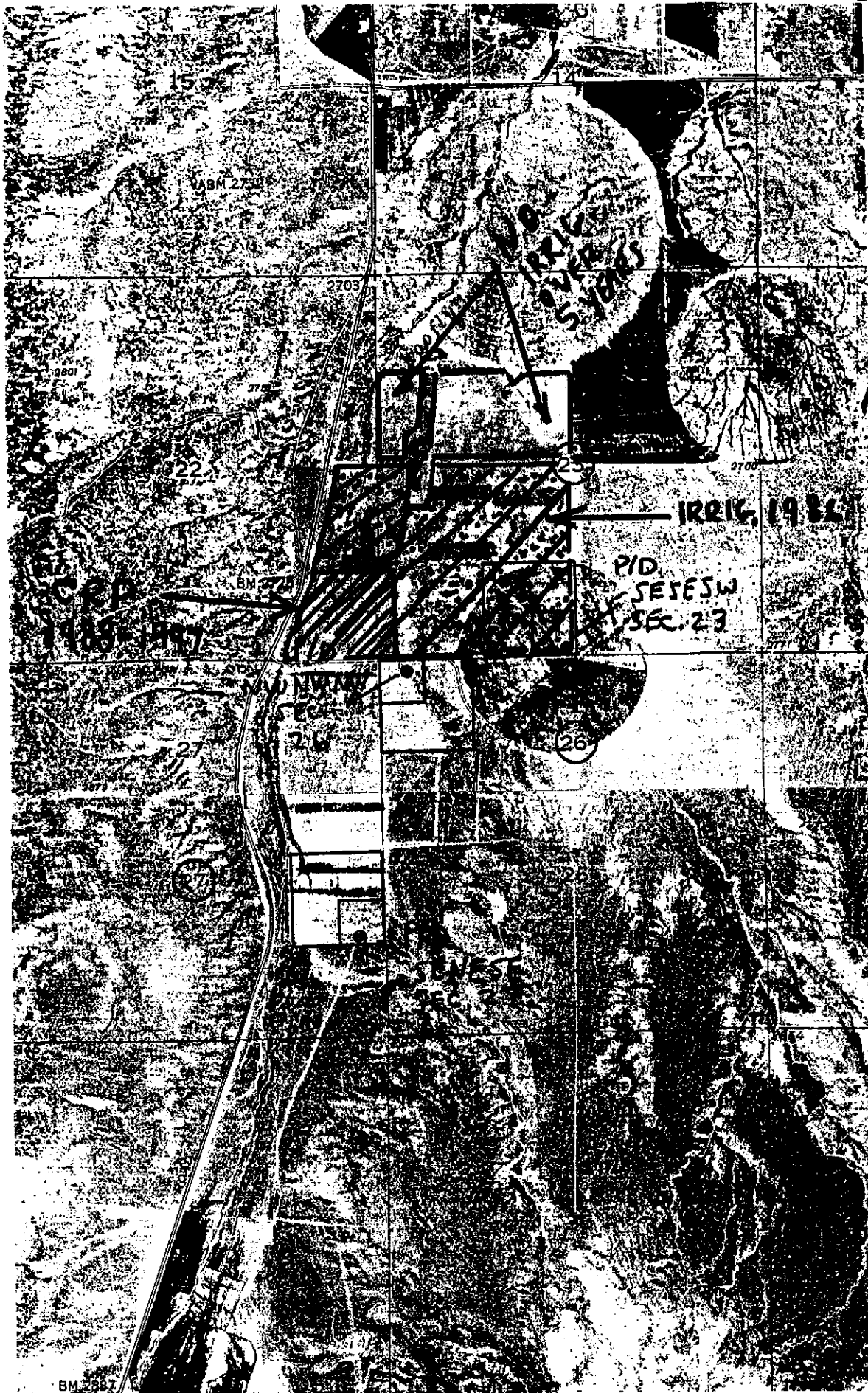
96 NOV 26 PM 2 05

JIM HUNTLEY JR.

OWYHEE COUNTY RECORDER
BY Deputy
DEPUTY

REQUEST OF
Gayle Maddy
REF 1200

A 57-07036



Inst. # 220363

Aw. # 220364

//// =
R57-07036

BM 2703

461 01 25

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-07036

1997 JUN 23 AM 11:21

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

RECEIVED

JUN 25 1997

Department of Water Resources
Adjudication Bureau

NAME & ADDRESS: RANDY HIPWELL
PO BOX 212
GRANDVIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 4.3 CFS
967.5 AFY

USE OF THIS RIGHT WITH RIGHT NO. 57-07037 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.76 CFS.

PRIORITY DATE: 11/16/1969

POINT OF DIVERSION: T06S R03E S23 SESESW Within Owyhee County
S26 NWNWNW
S27 SENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	4.3 CFS 967.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T06S R03E S22 NESE 25.0 SESE 36.0	
	S23 NESW 40.0 NWSW 34.0 SWSW 40.0 SESW 40.0	
	215.0 ACRES TOTAL	

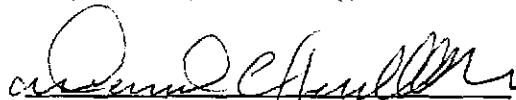
DATED:


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

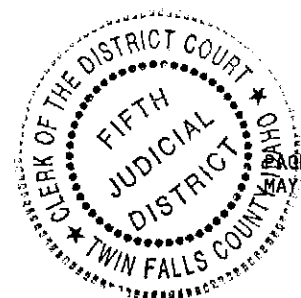
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

DATED:


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-07036

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORB
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



AJ0749NP
No. 57-07036

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

DATE: 03/31/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RANDY HIPWELL PO BOX 212 GRANDVIEW ID 83624 (208) 834-2212	11/16/1969	IRRIGATION	03-15 11-15	4.30 CFS	967.50 AFA
TOTAL DIVERSION:					4.30 CFS	967.50 AFA
CONSUMPTIVE USE:						752.50 AFA

D ROBERT B DAVIS
HC 85 BOX 373
GRAND VIEW ID 83624
(208) 834-2420

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06S R03E S23 SESESW
S26 NWNWNW
S27 SENESE

OWYHEE County
OWYHEE County
OWYHEE 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
06S	03E 22	:		:		:		:		:		:		:		:		61.0
06S	03E 23	:		:		:		:		:	40	:	34	:	40	:	40	154.0
TOTAL ACRES																	215.0	

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

Remarks: GEN RIGHT NO. 57-07037 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 4.76 CFS.

Dates: Exam Made Date: 10/09/1990

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 11/19/1991 User-ID: HOWERTON Subject: COPIED FROM REMARKS
JOINT WELL AGREEMENT ATTACHED. THREE WELLS ARE INTERCONNECTED &

AJ0749NP
No. 57-07036

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

DATE: 03/31/97
PAGE: 2

=====

Comments: Date: 11/19/1991 User-ID: HOWERTON Subject: COPIED FROM REMARKS
SUPPLY WATER FOR THIS WATER RIGHT AND WATER RIGHT NO. 57-7037.

Date: 11/19/1991 User-ID: HOWERTON Subject: DRIVE BY/FORFEITED ACRES
TELEPHONE CONVERSATION WITH OWNER ROBERT DAVIS 10-15-90.
I QUESTIONED MR. DAVIS ABOUT THE ACRES IN THE SWNW AND SENW OF
SECTION 23 BEING IRRIGATED FOR THIS RIGHT. HE SAID THAT IT WAS
OVER 5 YEARS SINCE ANYTHING WAS GROWN IN THOSE TRACTS. BUT THE
LANDS SOUTH OF THESE LANDS WERE LAST IRRIGATED IN 1986, AND THE
CROP WAS POTATOES. HE SAID THAT THE ACRES IN THE SWNW AND SENW
WERE TO HARD TO GET WATER ON. HE WAS DOUBTFUL THAT HE WOULD WANT
TO IRRIGATE THOSE ACRES AGAIN.
THEREFORE, I'M NOT RECOMMENDING THOSE 69 ACRES, HOWEVER, BASED ON
MR. DAVIS STATEMENT OF THE REMAINING 215 BEING IRRIGATED IN 1986,
FOR GROWING POTATOES THAT THOSE ACRES WILL REMAIN RECOMMENDED IN
MY EXAM CONDUCTED OCTOBER 9, 1990.

Date: 03/31/1997 User-ID: LHARRIS Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 03/31/97 LHARRIS



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 1, 1997

Re: Notices of Claim to a Water Right Nos. 57-07036, 57-07037

RANDY HIPWELL
PO BOX 212
GRANDVIEW ID 83624

Mr. Hipwell:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings. Also enclosed are copies of the Notice of Completed Administrative Proceedings which have been sent to the Snake River Basin Court as notification of the change.

The Department or the Court will contact you in the future concerning any requirements that may be needed in order to process these claims for final decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures

cc: Jay R. Friedly

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 57-07036

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 57-07036

From (Claimant/Seller):

Water Right Number: 57-07036

Name of Claimant: ROBERT B DAVIS
Address: HC 85 BOX 373
GRAND VIEW ID 83624
Phone: (208) 834-2420

To (Claimant/Purchaser):

Water Right Number: 57-07036

Name of Claimant: RANDY HIPWELL
Address: PO BOX 212
GRANDVIEW ID 83624
Phone: (208) 834-2212

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 Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 1, 1997



Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
4/1/1997

57-07036

PAGE 2

CERTIFICATE OF MAILING

I certify that on April 1, 1997 I mailed the original and copies of this form to the following persons, 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. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

JAY R FRIEDLY
HALL FRIEDLY & WARD
340 EAST 2ND NORTH
MOUNTAIN HOME ID 83647
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

RANDY HIPWELL
PO BOX 212
GRANDVIEW ID 83624
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Nick Harris

Signature of person or attorney mailing the form

HALL, FRIEDLY & WARD

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME, IDAHO 83647

PERCE HALL
JAY R. FRIEDLY
ROBERT W. WARD
CLAY M. SHOCKLEY

TELEPHONE
(208) 587-4412
FAX
(208) 587-3144

March 26, 1997

Mr. Mel Schulte
Adjudication Bureau
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Notice of Change of Water Right Ownership
SRBA Claim Nos. A57-07036 and A57-07037

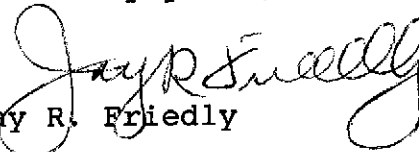
Dear Mr. Schulte:

I again write to you on behalf of my client Randy Hipwell concerning the change of ownership of A57-07036 and A57-07037. We had spoken on the telephone concerning the chain of title to Claudina Davis Wilson. I have obtained from Ihli Title in Murphy and have enclosed with this letter Determination of Heirs in the matter of the Estates of Robert C. Davis and Louise E. Davis and a Warranty Deed from Robert B. Davis to Claudina L. Wilson. Please note that Robert B. Davis and Claudina L. Wilson were the son and daughter of Robert C. Davis and Louise E. Davis. Upon the death of Mr. and Mrs. Davis, Robert C. Davis and Claudina L. Wilson became the owners of the real property in Owyhee County. After the Determination of Heirs, Robert B. Davis conveyed his interest to his sister Claudina L. Wilson. Claudina L. Wilson, also known as Claudina Davis Wilson, entered into a contract to sell her interest to Randy Hipwell and Nancy Hipwell.

If you need any further information, please let me know.

Thank you for your cooperation and efforts concerning this matter.

Sincerely yours,


Jay R. Friedly

JRF:tam
Enclosure
cc: Mr. Randy Hipwell

RECEIVED

MAR 28 1997

WATER RESOURCES
WESTERN REGION

RECEIVED

FEB 24 1997

WATER RESOURCES
WESTERN REGION

HALL, FRIEDLY & WARD

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME, IDAHO 83647

TELEPHONE
(208) 587-4412
FAX
(208) 587-3144

PERCE HALL
JAY R. FRIEDLY
ROBERT W. WARD
CLAY M. SHOCKLEY

February 20, 1997

Mr. Mel Schulte
Adjudication Bureau
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Notice of Change of Water Right Ownership
SRBA Claim Nos. A57-07036 and A57-07037

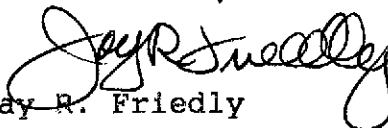
Dear Mr. Schulte:

I am writing as a follow up on behalf of my client Randy Hipwell concerning the change of ownership of A57-07036 and A57-07037. I have enclosed a copy of a Contract for Purchase of Real Property between Claudina Davis Wilson and Randy Hipwell and Nancy Hipwell, dated June 12, 1996. As you can see, Mr. and Mrs. Hipwell are in the process of purchasing the real property represented by A57-07037.

With this information, would you please complete the change of ownership.

If you need any further information, please let us know.

Sincerely yours,


Jay R. Friedly

JRF:mac
Enclosure
cc: Mr. Randy Hipwell

RECEIVED

DEC 26 1996

HALL, FRIEDLY & WARD

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME, IDAHO 83647

WATER RESOURCES
WESTERN REGION

PERCE HALL
JAY R. FRIEDLY
ROBERT W. WARD
CLAY M. SHOCKLEY

TELEPHONE
(208) 587-4412
FAX
(208) 587-3144

December 24, 1996

Mr. Mel Schulte
Adjudication Bureau
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

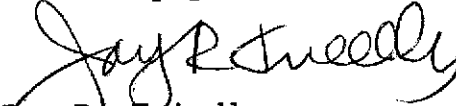
Re: SRBA Claim Nos. A57-07036 and A57-07037

Dear Mr. Schulte:

I have enclosed copies of the recorded United States Marshal's Deeds from the U. S. Marshal to our client Randy Hipwell. This is information that you requested in your letter to me dated November 29, 1996.

I will be discussing the matter with Mr. Hipwell and provide the additional information requested by you.

Sincerely yours,



Jay R. Friedly

JRF:mac
Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

November 29, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAY R FRIEDLY
ATTORNEY AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME ID 83647

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP A57-07036 & A57-07037

Dear Mr. Friedly:

We received the above referenced form with supporting documents requesting the ownership of SRBA claims A57-07036 & A57-07037 be changed to Randy Hipwell. We need some clarification and/or some additional documentation prior to completing your request.

The legal descriptions in the documents you provided describe the land in claim A57-07036 in the name of Robert B. Davis. This property is in parts of T06S, R03E, Sections 22 & 23. The land described in claim A57-07037 in the name of Louise E Davis is in parts of T06S, R03E, Sections 23, 26 & 27 and do not overlap any of the property covered by A57-07036.

If Randy Hipwell is now the owner of the land described in claim A57-07037, please provide us with copies of documents that convey the property to him. If Mr. Hipwell purchased only the land related to A57-07036 please provide us with an explanation as to why the Certificate of Sale Parcel 1 and other forms reference A57-07037 as being part of the sale transaction.

Enclosed for your information is a copy of claim A57-07037. Call me at the number below if you have any questions and forward any additional documents to my attention at the address above.

Sincerely,

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc.

RECEIVED

NOV 27 1996

Department of Water Resources

HALL, FRIEDLY & WARD

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME, IDAHO 83647

PERCE HALL
JAY R. FRIEDLY
ROBERT W. WARD
CLAY M. SHOCKLEY

November 26, 1996

TELEPHONE
(208) 587-4412
FAX
(208) 587-3144

RECEIVED

NOV 27 1996

WATER RESOURCES
WESTERN REGION

Idaho Water Resources Department
Statehouse Mail
Boise, Idaho 83720-9000

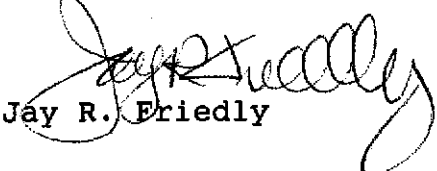
Re: Davis to Hipwell

Dear Ladies and Gentlemen:

I have enclosed New Property Owner Notice of Change of
Water Right Ownership in the above-referenced matter.

If you have any questions or need any additional
information, please let me know.

Sincerely yours,


Jay R. Friedly

JRF:mac

Enclosure

cc: Mr. Randy Hipwell
Mr. Robert Davis

AJ0749NP
No. R57-07036

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

DATE: 08/21/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT B DAVIS HC 85 BOX 373 GRAND VIEW ID 83624 (208) 834-2420	11/16/1969	IRRIGATION	03-15 11-15	4.30 CFS	967.50 AFA
					TOTAL DIVERSION:	4.30 CFS
					CONSUMPTIVE USE:	967.50 AFA 752.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R03E S23 SESESW
S26 NWNWNW
S27 SENESE

OWYHEE County
OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM			
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	---
06S	03E	22	:					:					:					:	25					:	61.0		
06S	03E	23	:					:					:	40	34	40	40	:						:	154.0		
																							TOTAL ACRES		215.0		

POU County: OWYHEE

Other Rights: SEE REMARKS

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 57-07037 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.76 CFS.

EXP RIGHT NO. 57-07037 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: 08/21/1996 Objection Filed Date:

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

Comments: Date: 11/19/1991 User-ID: HOWERTON Subject: COPIED FROM REMARKS
JOINT WELL AGREEMENT ATTACHED. THREE WELLS ARE INTERCONNECTED &
SUPPLY WATER FOR THIS WATER RIGHT AND WATER RIGHT NO. 57-7037.

Date: 11/19/1991 User-ID: HOWERTON Subject: DRIVE BY/FORFEITED ACRES

AJ0749NP
No. R57-07036

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

DATE: 08/21/96
PAGE: 2

=====

Comments: Date: 11/19/1991 User-ID: HOWERTON Subject: DRIVE BY/FORFEITED ACRES
TELEPHONE CONVERSATION WITH OWNER ROBERT DAVIS 10-15-90.
I QUESTIONED MR. DAVIS ABOUT THE ACRES IN THE SWNW AND SENW OF
SECTION 23 BEING IRRIGATED FOR THIS RIGHT. HE SAID THAT IT WAS
OVER 5 YEARS SINCE ANYTHING WAS GROWN IN THOSE TRACTS, BUT THE
LANDS SOUTH OF THESE LANDS WERE LAST IRRIGATED IN 1986, AND THE
CROP WAS POTATOES. HE SAID THAT THE ACRES IN THE SWNW AND SENW
WERE TO HARD TO GET WATER ON. HE WAS DOUBTFUL THAT HE WOULD WANT
TO IRRIGATE THOSE ACRES AGAIN.
THEREFORE, I'M NOT RECOMMENDING THOSE 69 ACRES, HOWEVER, BASED ON
MR. DAVIS STATEMENT OF THE REMAINING 215 BEING IRRIGATED IN 1986,
FOR GROWING POTATOES THAT THOSE ACRES WILL REMAIN RECOMMENDED IN
MY EXAM CONDUCTED OCTOBER 9, 1990.

Audit: 08/21/96 MSCHULTE

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

DATE: AUG-21-1996

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-07036

NAME AND ADDRESS: ROBERT B DAVIS
HC 85 BOX 373
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 4.3 CFS
967.5 AFY

USE OF THIS RIGHT WITH RIGHT NO. 57-07037 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.76 CFS.

PRIORITY DATE: 11/16/1969

POINT OF DIVERSION:	T06S R03E S23	SESESW	Within Owyhee County
	S26	NWNWNW	
	S27	SENESE	

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>Irrigation Season</u>	4.3 CFS
			967.5 AFY
		~~03/13~~ ~~11/13~~	

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T06S R03E S22	NESE 25.0 SESE 36.0
	S23	NESW 40.0 NWSW 34.0 SWSW 40.0 SESW 40.0
	215.0 ACRES TOTAL	

CONSUMPTIVE USE: 752.5 AFY

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

~~RIGHT NO. 57-07037 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 4.76 CFS.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
DEGREE

RIGHT NO. 57-07037 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE.

MEMORANDUM

July 31, 1995

TO: File A57-07036

FROM: KAY WALKER *KW*

RE: P/U in S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23, 6S, 3E

Robert Davis was in the office this morning in regard to water rights on his property. (Robert B. & Louise E. Davis were his parents...) Mr. Davis had looked all over his place for copies of his water rights but could not locate them so he came in to get copies. I pulled files A57-07036, A57-07037 & A57-10002. While looking at these files we noticed that some previously irrigated land had been left out of the recommendations we filed in our B57 report.

In looking for the reason for the deleted acres we found the comments on R57-07036 of November 19, 1991. Ron had spoken to "Mr. Davis" and he said those lands had not been irrigated for more than 5 years and were hard to get water on when he did irrigate them.

I told Mr. Davis this information and he said that the information was not correct. Ron had apparently talked with his father who was sick with stomach cancer at that time and who may not have been aware of when the last irrigation of that land occurred. I went through the notice of error & objection periods that had passed and he said his mother had probably received the information but never passed it on to him so he did not have an opportunity to file either a notice of error or an objection.

I then talked with Jan to see what Mr. Davis's options were. She said that he could contact the SRBA Court and ask them if it was possible to file a late objection to the recommendation. I gave him a copy of SRBA Administrative Order #1 (with the SRBA Court's phone number) and an Objection form in case the court told him to go ahead and submit the objection on our regular form.

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

DATE: 07/23/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT B DAVIS HC 85 BOX 373 GRAND VIEW ID 83624 (208) 834-2420	11/16/1969	IRRIGATION	03-15 11-15	4.30 CFS	967.5 AFA
					TOTAL DIVERSION:	4.30 CFS
					CONSUMPTIVE USE:	967.5 AFA 752.5 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06S R03E S23 SESESW
S26 NWNWNW
S27 SENESE

OWYHEE County
OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06S	03E	22	:					:					:					:	25			36	:	61.0
06S	03E	23	:					:					:	40	34	40	40	:					:	154.0
																							TOTAL ACRES	215.0

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion and Source:
A57-07036 A57-07037 R57-07037

Other Water Rights Listing Overlapping Place(s) of use:
A57-07036

Remarks: RIGHT NO. 57-07037 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 4.76 CFS.

Dates: Exam Made Date: 10/09/1990 Verified Date: 03/05/1992

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

Comments: Date: 11/19/1991 User-ID: HOWERTON Subject: COPIED FROM REMARKS
JOINT WELL AGREEMENT ATTACHED. THREE WELLS ARE INTERCONNECTED &
SUPPLY WATER FOR THIS WATER RIGHT AND WATER RIGHT NO. 57-7037.

Date: 11/19/1991 User-ID: HOWERTON Subject: DRIVE BY/FORFEITED ACRES
TELEPHONE CONVERSATION WITH OWNER ROBERT DAVIS 10-15-90.
I QUESTIONED MR. DAVIS ABOUT THE ACRES IN THE SWNW AND SENW OF
SECTION 23 BEING IRRIGATED FOR THIS RIGHT. HE SAID THAT IT WAS

MICROFILMED
OCT 07 1992

=====

OVER 5 YEARS SINCE ANYTHING WAS GROWN IN THOSE TRACTS. BUT THE LANDS SOUTH OF THESE LANDS WERE LAST IRRIGATED IN 1986, AND THE CROP WAS POTATOES. HE SAID THAT THE ACRES IN THE SWNW AND SENW WERE TO HARD TO GET WATER ON. HE WAS DOUBTFUL THAT HE WOULD WANT TO IRRIGATE THOSE ACRES AGAIN. THEREFORE, I'M NOT RECOMMENDING THOSE 69 ACRES, HOWEVER, BASED ON MR. DAVIS STATEMENT OF THE REMAINING 215 BEING IRRIGATED IN 1986, FOR GROWING POTATOES THAT THOSE ACRES WILL REMAIN RECOMMENDED IN MY EXAM CONDUCTED OCTOBER 9, 1990.

Audit: 00/00/00

MICROFILMED

OCT 07 1992

FIELD EXAM
TELEPHONE CONVERSATION MEMOI.D. NUMBER A57-07036 AND A57-07037NAME OF CONTACT ROBERT DAVIS OR MOM LOUISE DAVISPHONE NO. 834-2420 ADJ. AGENT RONDATE SET FOR EXAM 10-9-90LOCATION 2 SOUTH OF GRAND VIEW AND TRIANGLE DAIRY.
(SOME OF LAND IS IN CRP)

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of system? (pipeline, ditches) WHEEL LINES, MAINLINE CONNECTSHow many laterals are used? ALL THREE WELLS.NO - MORE PIVOT USE.

Length and size of mainline? _____

Size of Motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? _____

COMMENTS INCORRECT ADDRESS ON CLAIM. ADDRESSIS HC 85.804373 TRYED SEVERAL TIMES TO CONTACTMR. DAVIS. THIS TELEPHONE CONV. MEMO WAS AFTERMY FX.

MICROFILMED

OCT 17 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

A57-07036

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	Rel 10-9-90	6	N	N		
PT. OF DIV.	Y		1,2,5	N			DATA ENTRY COMPLETED
SOURCE	N		6	N			BY _____ DATE _____
PL. OF USE	N		1,2,5	Y			FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF	N		5	Y			BY _____ DATE _____
CONSUMPTIVE USE	N		5	Y			
NATURE OF USE	N		6	N			
PERIOD OF USE	Y		5	Y PER DEGREE			
BASIS OF CLAIM	Y		5	Y			
REMARKS	N		5	Y			

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: SAME AS CLAIM

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

01071992

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:57:16
09/01/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-07036

LAST: DAVIS
ADDRESS: HC 85 BOX 373
CITY: GRANDVIEW
PHONE NUMBER: 208-834-2420

FIRST: ROBERT B.
STATE: ID ZIP: 83624

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

REL

CLAIM REMARKS: JOINT WELL AGREEMENT ATTACHED. THREE WELLS ARE INTERCONNECTED &
SUPPLY WATER FOR THIS WATER RIGHT AND WATER RIGHT NO. 57-7037.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: ROBERT B. DAVIS

PHONE NUMBER: () -

DATE OF FIELD EXAM: 10 / 9 / 90

APPOINTMENT MADE: Y() N(X)

TIME: : A() P()

ACCOMPANIED BY: NONE

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DRIVE BY

DIRECTIONS TO PROPERTY / REMARKS:

SOUTH OF TRIANGLE DAIRY

MICROFILMED
OCT 07 1992

A. AJ CLAIM: # A57-07036 PRIORITY DATE: 11-16-1969 STAGE: L

B. WR RECORD: # 57-07036 PRIORITY DATE: 11-16-1969 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD
EXAMINER

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

REMARKS:

RECOMMENDED PRIORITY DATE:
11-16-1969

REVIEWED BY

Rch

DATE

11-20-91

MICROFILMED
OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-07036	06S	03E	23	SE	SE	SW		OWYHEE
A57-07036	06S	03E	27	SE	NE	SE		OWYHEE
A57-07036	06S	03E	26	NW	NW	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-07037 NONE

WR RECORDS IN SAME 40 ACRE TRACT

57-07037
A57-07036
A57-07037

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-07036	06S	03E	23		SE	SW		OWYHEE
57-07036	06S	03E	27		NE	SE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

57-07037
A57-07036
A57-07037

A57-07037 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y	Rdh
			N	

REMARKS:

ON DRIVE BY I COULD SEE ALL THREE P/D'S, all are claimed
CORRECTLY.

OCT 07 1992

MICROFILMED

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>6S</u>	<u>3E</u>	<u>23</u>	<u>SE</u>	<u>SE</u>	<u>SW</u>		<u>OWY</u>
		<u>26</u>	<u>NW</u>	<u>NW</u>	<u>NW</u>		
		<u>27</u>	<u>SE</u>	<u>NE</u>	<u>SE</u>		

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

REL

DATE:

11-20-91

MICROFILMED

OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-07036

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	03E	22	NE	SE		DAVIS , ROBERT B. DAVIS , ROBERT C. DAVIS , ROBERT B.	A57-07036 /25.0 A57-10002 / A57-07036 /25.0	57-07036 /25.0 - / A57-07036 /25.0	34.0	25	25
06S	03E	22	SE	SE		DAVIS , ROBERT B. DAVIS , ROBERT B.	A57-07036 /36.0	57-07036 /36.0 A57-07036 /36.0	39.0	36	36
06S	03E	23	SW	NW		DAVIS , ROBERT B. DAVIS , ROBERT B.	A57-07036 /29.0	57-07036 /29.0 A57-07036 /29.0	2.0		
06S	03E	23	SE	NW		DAVIS , ROBERT B. DAVIS , ROBERT B.	A57-07036 /40.0	57-07036 /40.0 A57-07036 /40.0	14.0		
06S	03E	23	NE	SW		DAVIS , ROBERT B. DAVIS , ROBERT B.	A57-07036 /40.0	57-07036 /40.0 A57-07036 /40.0	37.0	40	40
06S	03E	23	NW	SW		DAVIS , ROBERT B. DAVIS , ROBERT B.	A57-07036 /34.0	57-07036 /34.0 A57-07036 /34.0	39.0	34	34
06S	03E	23	SW	SW		DAVIS , ROBERT B. DAVIS , ROBERT B.	A57-07036 /40.0	57-07036 /40.0 A57-07036 /40.0	39.0	40	40
06S	03E	23	SE	SW		DAVIS , ROBERT B. DAVIS , ROBERT B.	A57-07036 /40.0	57-07036 /40.0 A57-07036 /40.0	42.0	40	40
TOTAL ACRES							A57-07036	284.00	284.00	246.00	

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

215.0 Ac

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Rch

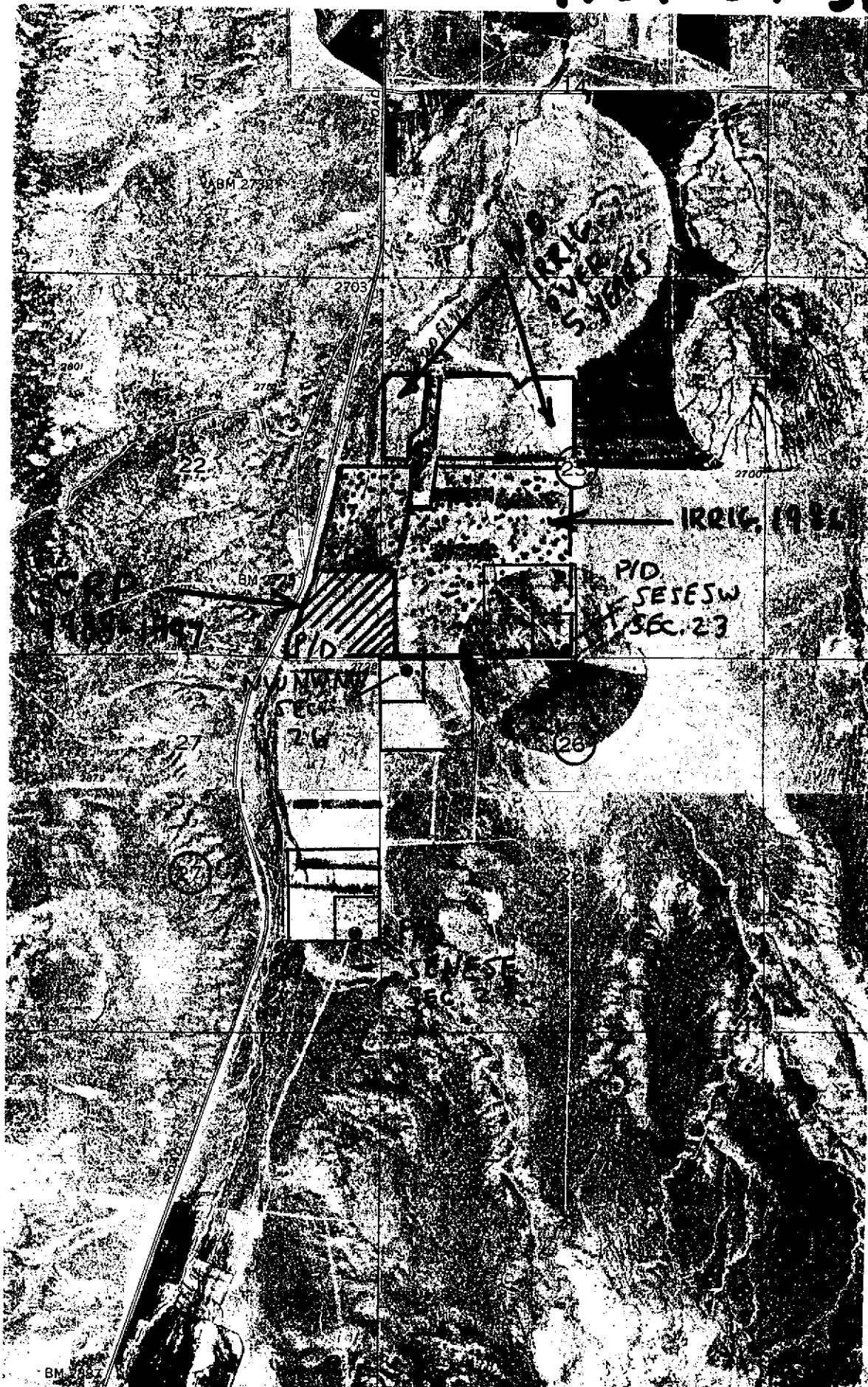
NO IRRIG. IN THE SWNW AND SENW OF SECTION 23

MICROFILMED
OCT 10 7 1992

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				NE				NW				SW				SE				SUM																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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A 57-07036



461 07 0932

PRESUMPTION FLAG: NONE

REMARKS:

48 ACRES ARE IN CRP 1988-1997

RECOMMENDATIONS:

TOTAL ACRES: 215

REVIEWED BY: Reh

DATE: 11-20-91

ACRES WERE DETERMINED BY ASCS MAP IN FILE 57-07037

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-07036 IRRIGATION	FROM 03-15 TO 11-15	4.810 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.810 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-07036 IRRIGATION	FROM 04-01 TO 10-01	4.810 CFS 1278.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.810 CFS 1278.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>Rch</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

DECREED FOR 3-15 to 11-15 SEE SHORTLY DECREE

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 4.810 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.810 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 remarks. **

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER
N rch

B.

FLOW MEASUREMENT

MEASUREMENT METHOD NONE, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

But same P/D's

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-10002	DOMESTIC	DAVIS , ROBERT C.	FROM 01-01 TO 12-31	.070 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 215 x 0.02 CFS/ACRE = 4.3 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 959.0 AF/A

ACRES 215 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =
TOTAL CONSUMPTIVE USE 752.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 215 x DIVERSION VOL. AF/A FOR AREA 4.5 =
TOTAL DIVERSION VOLUME 967.5 AF/A

CALC'D
PER NEW
SEASON VOL
MAP 1/6/92

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

COMBINED RATE OF DIVERSION LIMITED TO 4.76

(DEGREE LIMITED TO SYSTEM'S CAPACITY)

THE MOST ACRES RECOMMENDED IS ON 7037(248) ACRES WITH 4.76 CFS

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER ~~4.810~~ 4.3	DATABASE EXAMINER ~~1075~~ 967.5	DATABASE EXAMINER ~~959.0~~ 752.5
TOTAL FOR THIS RIGHT				
REVIEWED BY: <u>Rdh</u>		DATE: <u>11-20-91</u>		

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	(X)	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-07036

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	5.490		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-07036	4.810	-		57-07036	4.810
-	-		-		A57-07036	5.490
TOTAL CFS		4.810				5.490

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
N

FIELD
EXAMINER
RH

REMARKS:

NO SPLITS

DEGREE LIMITED CFS WHEN COMBINED WITH 7037

AUTHENTICATION:

SIGNATURE:

Ron Howerton

DATE:

11-20-91

NAME OF FIELD EXAMINER:

Ron HOWERTON

TITLE:

JR. WATER AGENT

OCT 07 1992

RECORDED

PICTURE # 1

This land beyond the weeds is in CRP for it went into effect in 1988 and will come out in 1997. This picture was from the road looking at the place of use at the South West tip of A57-07036. This is a 48 acre tract.



10/9/90
Rch

PICTURE # 2

This picture shows the most Northern part of the place of use in the background, no evidence of irrigation, not in CRP. A57-07036.



10/9/90
Rch

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PICTURE # 3

This is more of the land not irrigated in over 5 years according to owner Robert Davis. No evidence of irrigation.



10/9/90
Rch

PICTURE # 4

This picture shows the land just below pictures 2 and 3. This was irrigated with potatoes in 1986 according to Mr. Davis.



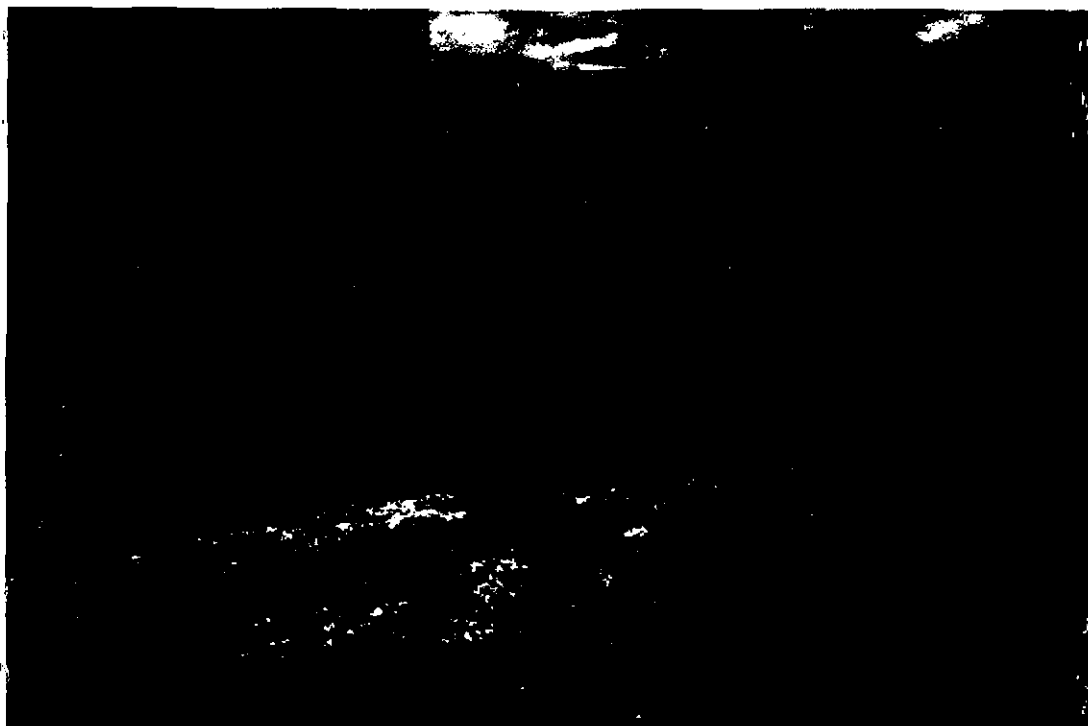
10/9/90
Rch

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PICTURE # 5

This is more of the Northern land not irrigated in over 5 years according to owner Robert Davis. No evidence of irrigation.



10/9/90
Rdh

PICTURE # 6

This picture shows the land just below picture 5. This is more of the land that was irrigated with potatoes in 1986 according to Mr. Davis.



10/9/90
Rdh

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OCT 07 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Robert B. DAVIS
STAR Rt Box 373
GRAND VIEW Id 83624

Date: 7-19-90

RE: Permit and/or Adjudication Claim No.s A57-07036

Dear Claimant(s):

The Department of Water Resources will be conducting beneficial use examinations and water right adjudication claim verification examinations for Owyhee County from July thru November 1990. Once the beneficial use examination or claim verification is made, your water rights will be recommended for licencing by the department or decree by Judge Hurlbutt in the Fifth District Court. The recommendations will be based on our findings in the field.

Information on your permit or claim that may need to be verified, includes source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication. Some of your claims may only need a small amount of verification if there are no changes in the manner in which they were previously documented and examined in accordance with the State's permitting, licencing and/or decree process.

Although it is not mandatory that you accompany the field examiner, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available for a short time during the field exam. This would help speed up our findings and help collect information for your rights to be recommended to the court.

A field examiner will be calling or writing you for the scheduling of this (these) field exam(s). We can either meet you at the place of use or a place of your convenience. This may be determined at the time we contact you.

If you have questions regarding this letter or prior to scheduling, please call 334-2190 and ask for either Steve Lester or Ron Howerton.

Sincerely,

Ron Howerton
Senior Water Resource Agent

cc:RH:file

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State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAEF Date 2/08/83
Right No. 57-7036 Claimant DAVIS

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☒ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☐ A.S.C.S. Records. Year & Photograph No. _____
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____

- ☐ Interview(s). Attach conversation memorandum.
- ☐ Other _____
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date _____

☐ Adj. Report in file ☒ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended _____ cfs.
Type of measuring device: _____ Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. GRANDVIEW, CHALK HILLS
Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks CHANGES ARE RESULT OF LICENSING.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)

License of Water Right No. 57-7036 Priority November 16, 1969 Amount 4.81 cfs

THIS IS TO CERTIFY, that Robert B. Davis
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 57-7036 issued pursuant to Application for Permit dated November 4, 1969,
and has submitted proof to the Department of Water Resources on March 13, 1975,
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 4.81 cfs of water from a groundwater 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>April 1</u> to <u>October 1</u>	at <u>4.81</u> cfs and	<u>1278.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 4.81 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
1278.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23; NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 27; Twp. 6S, Rge. 3E in the County of Owyhee

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 $\frac{1}{4}$	
6S	3E	22													25			36	61
		23							29	40	40	34	40	40					223

Total number of acres irrigated 284

This right when combined with Right 57-7037 shall not exceed 4.81 cfs. This
right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 4.5 afa per acre for the lands above.
This right when combined with Right 57-7037 shall not exceed 1726.8 afa.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of
April, 19 83.

Acting for the Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

December 28, 1982

Robert Davis
Star Route, Box 373
Grand View, ID 83624

Re: Shoofly Creek Adjudication

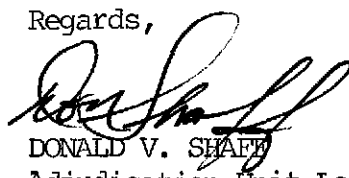
Dear Mr. Davis,

Just before Christmas, your claims submitted for the adjudication were received. Thank you for sending them promptly, but the \$20 filing fee for both claims was not included. This fee must be included for the water rights to be included in the court decree.

The claims will be held in this office until January 14, 1983, unless the fee is paid before that date. This procedure will be taken, not because the rights are invalid, but because the claims to the water rights are incomplete without the filing fees.

Thank you for cooperating in the Shoofly Creek Adjudication.

Regards,



DONALD V. SHAFF
Adjudication Unit Leader

DVS:jp

Pd.
Rec'd #23107

RECEIVED

JAN 6 1983

Department of Water Resources
Western Regional Office

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OCT 07 1992

December 28, 1982

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Regards,

DONALD V. SHAFF
Adjudication Unit Leader

DVS:jp

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CONVERSATION MEMORANDUM

DATE 3/31/82
FILE SHOOFLY CREEK

NAME OF PARTY R. DAVIS

EMPLOYEE D. SHAFF

RE: SOURCE OF WATER

I called Mr. Davis today to determine if any Shoofly Creek water is used on their ranch in Sections 23 & 26, T6S, R3E. Mr. Davis said they use groundwater as their source; there is rarely any water in the creek at their ranch in the summer.

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