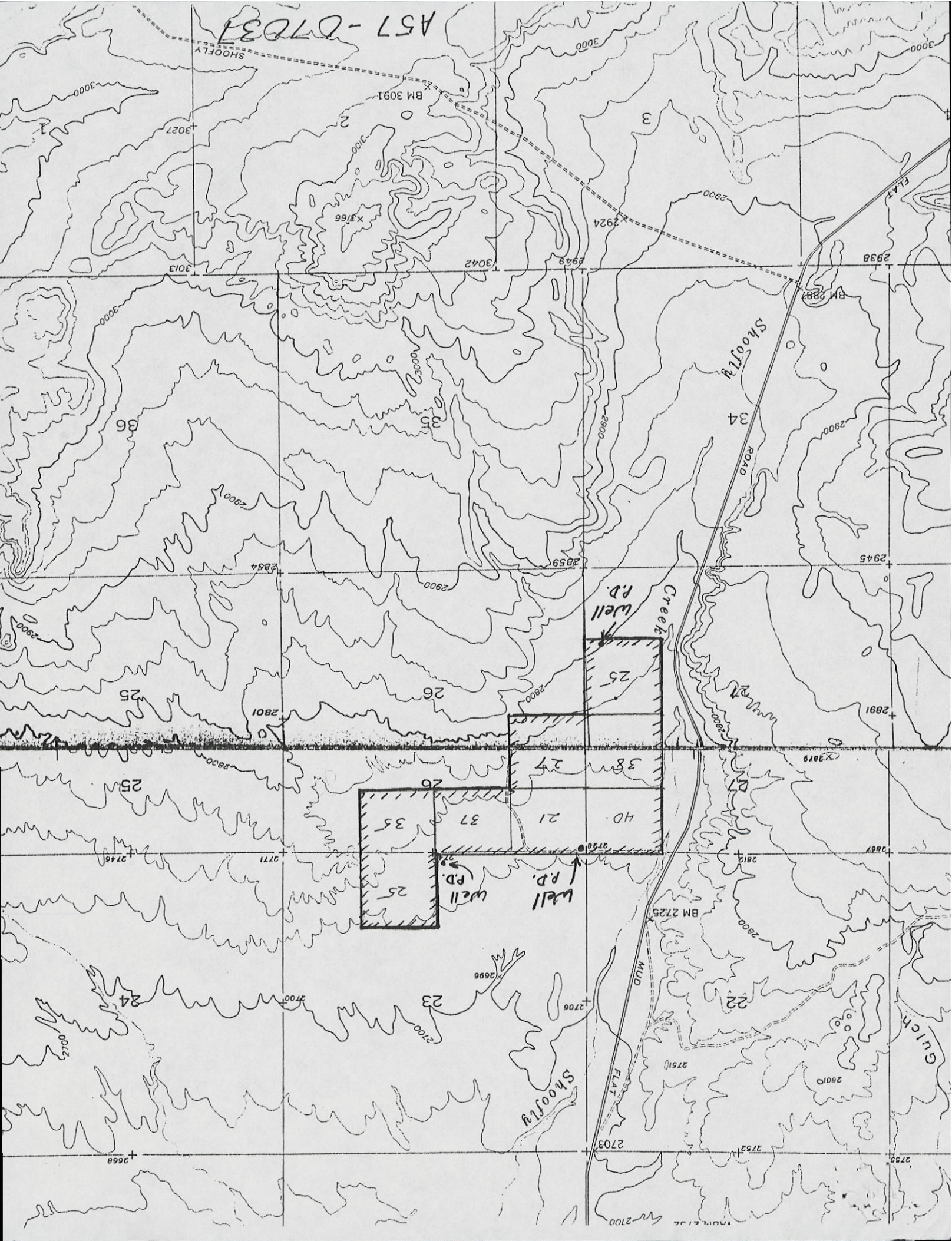




RECEIVED

MAR 28 1997

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED,

ROBERT H. DAVIS, a single man

do hereby grant, bargain, sell and convey

to GRACIE L. WILSON, a married woman,

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

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

Section 6 SOUTH, RANGE 3 EAST, B. M., OWYHEE COUNTY,

Section 23 SW1/4

Section 25 W1/4, NE1/4, NW1/4, NE1/4

Section 27 E1/4, NE1/4

} A57-07037

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.

And I, the said Grantor, do hereby covenant to and
warrant unto said Grantee, her heirs and assigns
that the said Grantee does hereby covenant to and
warrant unto said Grantee, that he is the owner in fee simple of
the premises, that said premises are free from all
encumbrances, except: None.

And I, the said Grantor, do hereby covenant to and
warrant unto said Grantee, that the premises are free from all
encumbrances, easements, covenants, restrictions
and regulations as appear of record or by use upon
the premises.

And I, the said Grantor, do hereby covenant to and
warrant unto said Grantee, that the premises are free from all
taxes and assessments of all taxing units not yet due and
payable.

And I, the said Grantor, do hereby covenant to and
warrant unto said Grantee, that the premises are free from all
liabilities in patents or state grants or in acts
relating to the issuance thereof.

And I, the said Grantor, do hereby covenant to and
warrant unto said Grantee, that the premises are free from all
liabilities between any irrigation district
situated within the premises and any government or
agency.

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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

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

Decedents.

SPAS 00560
CASE NO. SP IE 8500424H
DETERMINATION OF HEIRS

On the 13th day of November, 1995, the Petition of Robert C. 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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WATER RESOURCES
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 12-1-95
Jim Hamley, Jr., Clerk of the District Court

[Signature]
Deputy Clerk

[Signature]
Deputy Clerk

[Signature]
Deputy Clerk

55 DEC 1 AM 11 30

FILE RECORDED

201/315

Idaho Department of Water Resources

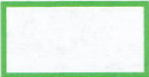
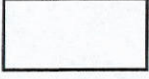
Claim Number: 57-07037

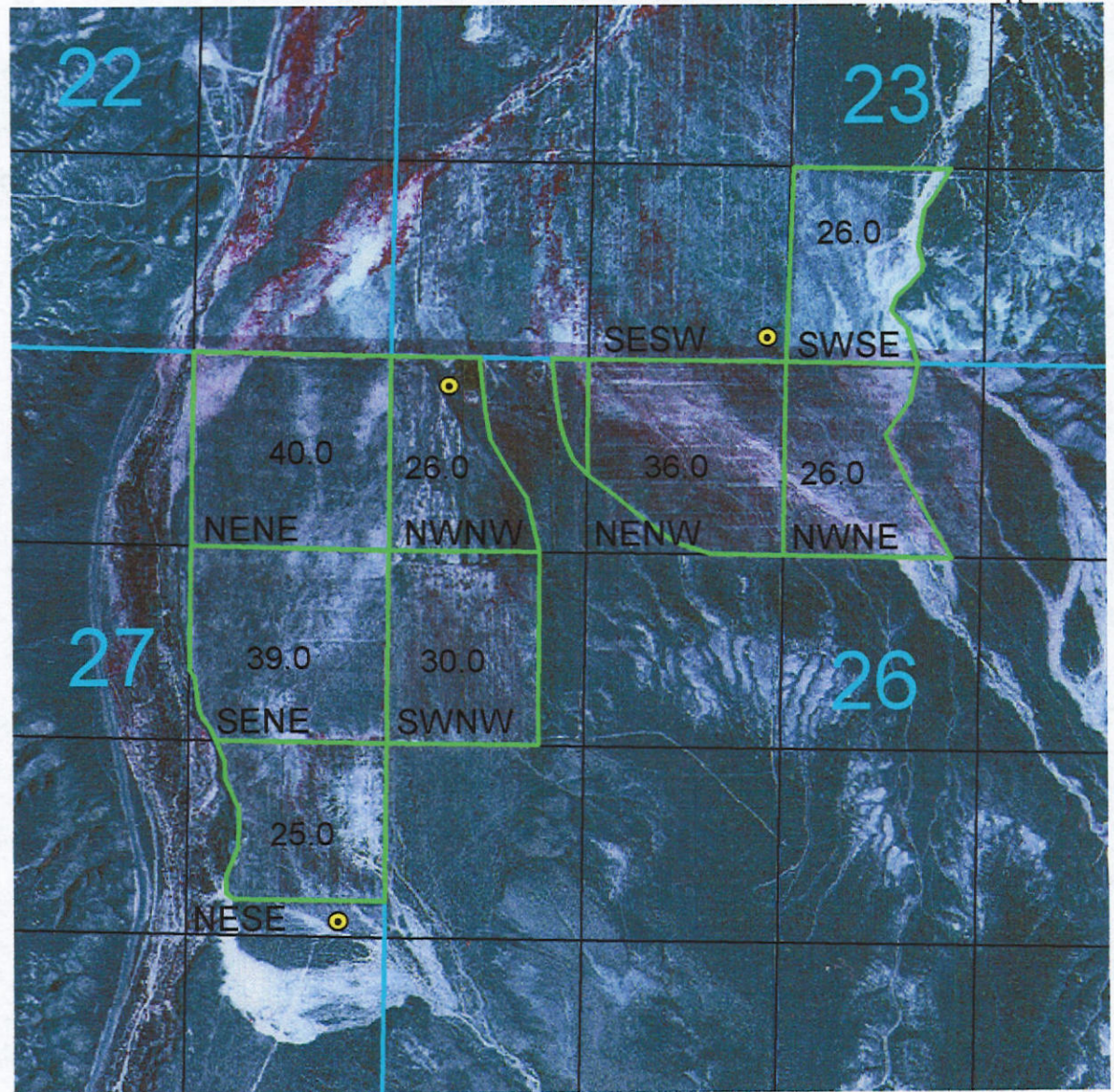
Legal: T06S, R03E, S23, 26, 27

T06S, R03E, S04

Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 0.75 1 Miles

Idaho Department of Water Resources

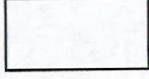
Claim Number: 57-07037

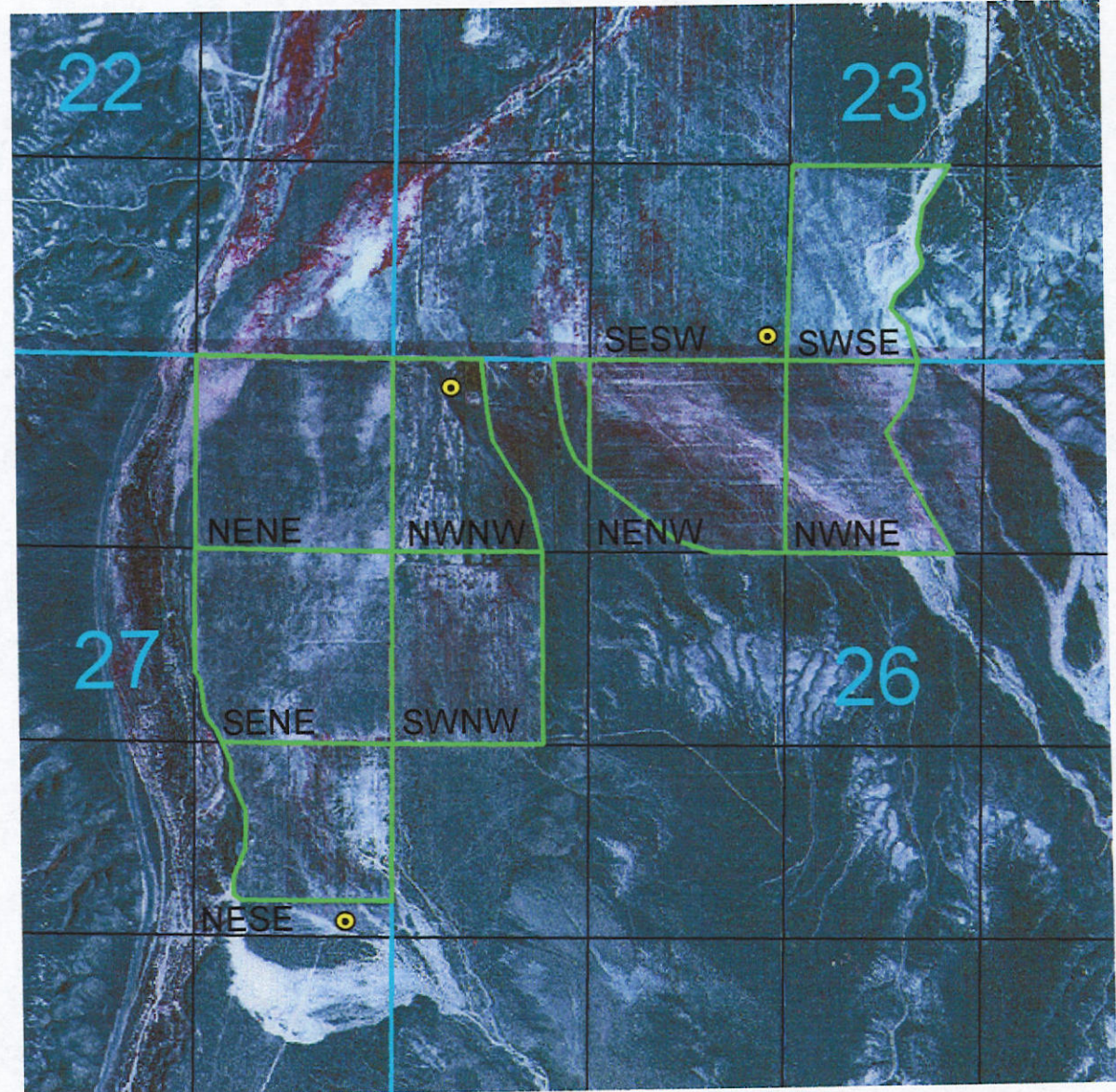
Legal: T06S, R03E, S23, 26, 27

T06S, R03E, S04

Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 0.75 1 Miles

[illegible]

//// =
R57-07037

001 07 1955

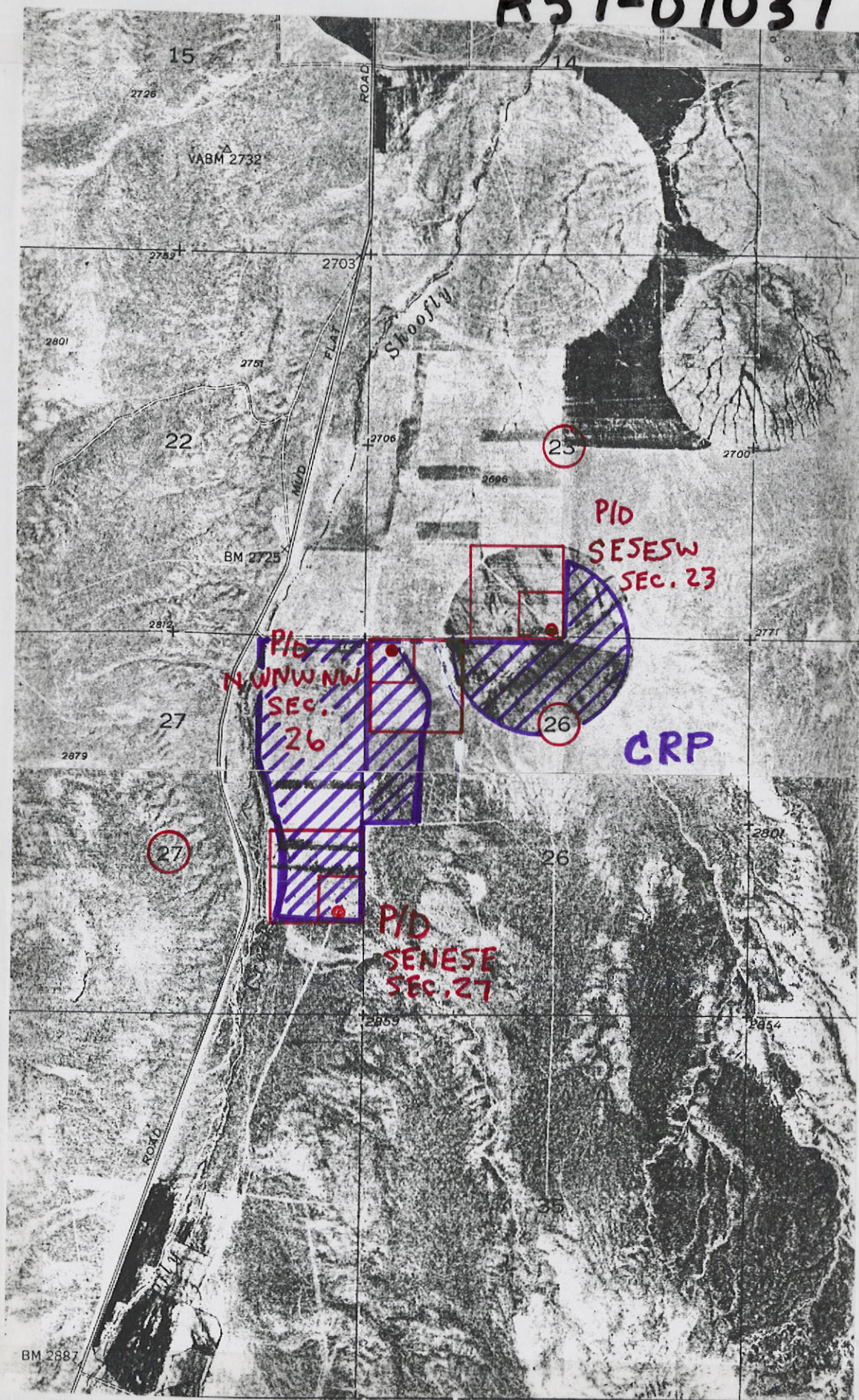
(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A5707037	T06S R03E S23																25	25
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
A5707036	GROUNDWATE							29	40	40	34	40	40					223
A5707036	GROUNDWATE							29	40	40	34	40	40					223
5707037	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
A5707037	T06S R03E S26		35			37	21	27										120
NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
5707037	GROUNDWATE		25			37	21	27										110
--86 MAP--	C73Q-AA 10		26	04		39	39	27	05		01							141
A5707037	T06S R03E S27		40			38								25				103
NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
0207157J	SNAKE RIVE					40	40	40	40	40	40	40	40					320
5707037	GROUNDWATE	40			38									25				103
--86 MAP--	C73Q-AA 10	38	20	24	33									31	12	17	04	179

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A57-07037



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2405 68
2466
7780



1
2

0339 648
2456
7442

CRP 1988-1997
232 HEC

CRP 1989-1998
648 NE

652 NE

238 HEC

1

03.2
1981
1998
P10

27/26
34/35

CRP-236.9 ACRES
A57-0703
CRP-48 ACRES
A57-0703
NOT CRP-164.5
A57-0703
NO IRRIG OVER 5-YEARS
A57-0703
ACCORD TO MR. DAVIS,

Robert Davis

PICTURE # 1

This land beyond the Sage Brush is in CRP it went into effect in 1988 and will come out in 1997. The **point of diversion** is on the right side of this photo in the background. This picture is at the most Southern end of the land. A57-07037.



10/9/90
Rch

PICTURE # 2

This picture shows the most Northern part of the place of use in the background that is in CRP.



10/9/90
Rch

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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: A57-07037

Date Received: 4/06/1988

Receipt No: 0005181

1/19/89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOUISE E. DAVIS 208-834-2420
Address: HC 85 BOX 373
GRAND VIEW, ID 83624

2. Date of Priority: NOV 14, 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:
WELL, PUMP, 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	4.760		

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

8. Total consumptive use is 868.0 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	23	SW	SE		IRR	25.0
						Section Acres	25.0

A57-07037

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	26	NW	NE		IRR	35.0
			NE	NW		IRR	37.0
			NW	NW		IRR	21.0
			SW	NW		IRR	27.0
						Section Acres	120.0
		27	NE	NE		IRR	40.0
			SE	NE		IRR	38.0
			NE	SE		IRR	25.0
						Section Acres	103.0
						Total Acres	248.0

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. 57-7036.

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: 1

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): Louise E Davis Date: 1-19-89
_____ Date: _____

State of Idaho)
County of Ada) SS.

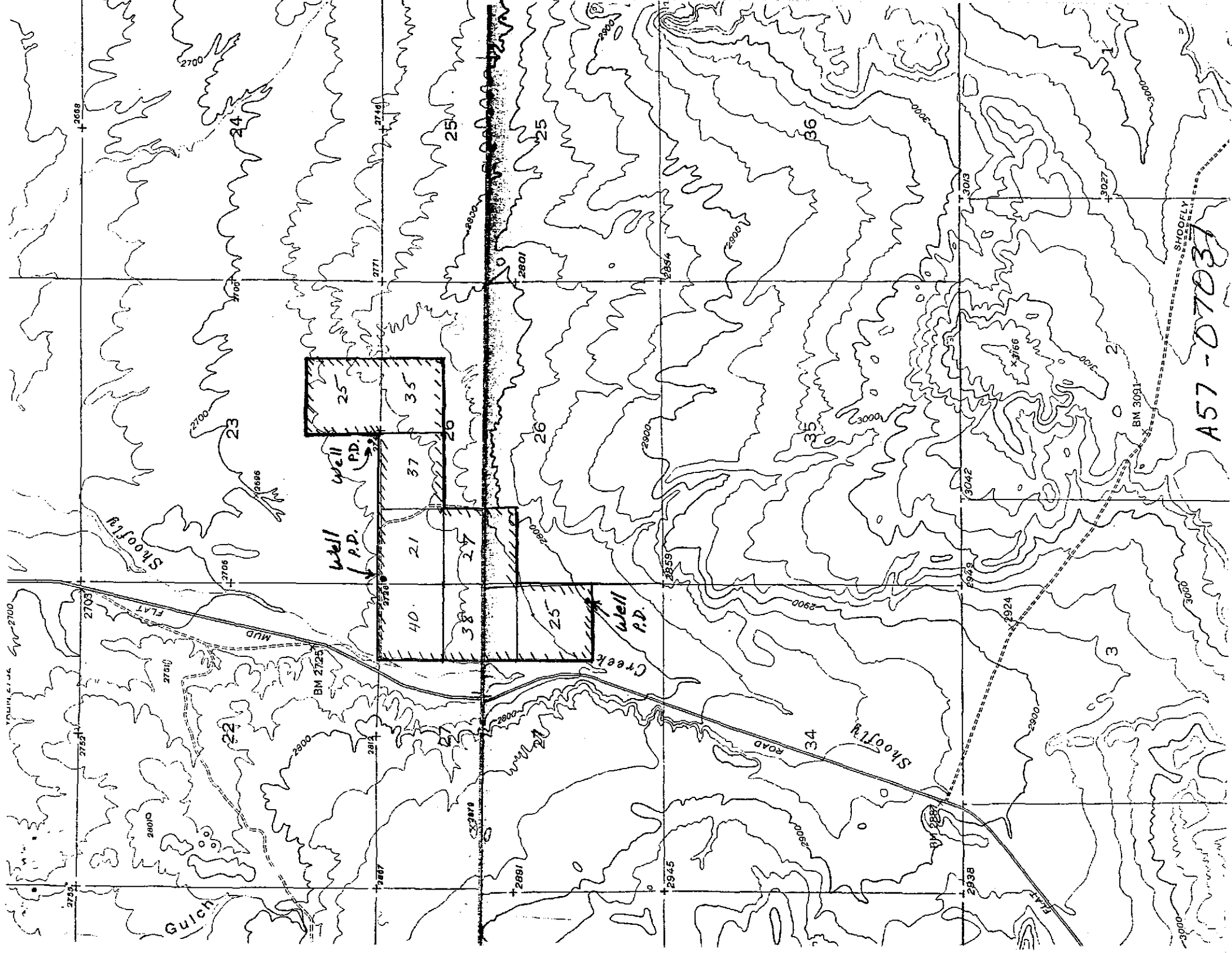
Subscribed and sworn (or affirmed) before me this 19 day
of January 19 89

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

'57-Shortly
FI DECE
NO



A57-07037

Water Right Number - 57-07037

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***

DAVIS

ROBERT C.

1 - STAR RT. BOX 373

2 -

3 -

City- GRANDVIEW

State- ID Zip- 83624

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
11/14/1969 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

4.760

1071.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.760 1071.00+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

06S 03E 23 SW SE 25.0 01 IRRIGATION (73) OWYHEE

06S 03E 26 NW NE 25.0 01 IRRIGATION (73) OWYHEE

06S 03E 26 NE NW 37.0 01 IRRIGATION (73) OWYHEE

06S 03E 26 NW NW 21.0 01 IRRIGATION (73) OWYHEE

06S 03E 26 SW NW 27.0 01 IRRIGATION (73) OWYHEE

06S 03E 27 NE NE 40.0 01 IRRIGATION (73) OWYHEE

06S 03E 27 SE NE 38.0 01 IRRIGATION (73) OWYHEE

06S 03E 27 NE SE 25.0 01 IRRIGATION (73) OWYHEE

Total Acres: 238.0

+ - - Diversion Means - WELL & PUMP.

- Non-Irrigation Use -

- Other Rights for Same Use -

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

I-3205.

THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN .02 CFS/AC. NOR MORE THAN 4.5 AFA/AC. FOR THE LANDS ABOVE.

OCT 07 1992

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Water right number - 57-07037 Adj. flag translation: Standard Water Right Number

+ - - - - Remarks - - - - -
THIS RT. WHEN COMBINED WITH RT. 57-7036 SHALL NOT EXCEED 4.81 CFS
NOR 1726.8 AFA.

+ - - - - 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 - 03/03/1970	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 - A
Decree Date - 00/00/0000	Microfilm Roll No -	Presumption Flag -

MICROFILMED

OC 1 6 / 1982

RECEIVED

IN THE DISTRICT COURT OF THE 3rd JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Owyhee

DEC 25 1982

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

57-7037 I.D. No.	Map No.
\$ 10 Fee Paid	23107 Receipt No.

Notice is hereby given that Robert C. Davis

(Name of Claimant)

Box 373 Star Rt. Grandview, ID 83624

(Mailing Address)

(Zip Code)

Telephone No.

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) 11/14/1969

(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 2.32 476 Use Irrigation A Period of Use From 4/13/15 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) 3.32 476 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 SE 1/4
Sec. 27, Twp. 6S, Rge. 3E, B.M., Owyhee 73 County

Additional Points: SESW, S. 23, 6S, 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 Irrigation

(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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	3E	23																25	25
		26		25			37	21	27										110
		27	40			38									25				103

Total no. of acres 238

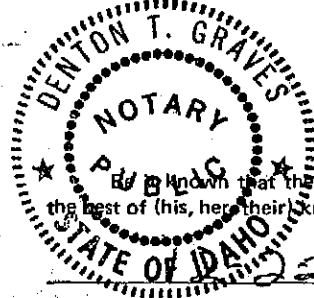
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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: 1/19/83 THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.5 AFA PER ACRE

(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. Lic. 57-7037



I, 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.

22-82
(Date)

Individual: Robert C. Davis

(Signature of Claimant)

Organization: Louise E. Davis

(Signature of Spouse)

State of IDAHO

Organization

County of Owyhee

Seal

(Signature of Authorized Agent)

On this 22nd day of December, in the year 1982 before me

a notary public, personally appeared Robert C. and Louise E. 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

executed the same

My commission expires 2-18-85

Notary Public residing at Grandview

28 1/11/82

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

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

Upper Shoshone

DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

57-7037	I.D. No.	Map No.
\$ 10	Fee Paid	23/07
		Receipt No.

Notice is hereby given that Robert C. Davis

(Name of Claimant)

Fox 373 Star Rt. 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) 11/14/1969

(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 3.32 Use Irrigation Period of Use From 4/1 To 11/1
(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) 3.32 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 27, 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 Irrigation

(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 $\frac{1}{4}$	
6S	3E	23																25	25
		25		25			7	21	27										110
		27	40			38									25				103

Total no. of acres 238

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. 57-7037

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 knowledge.

22-82
(Date)

State of IDAHO Organization _____

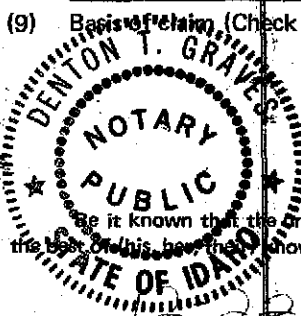
County of Owyhee ss. _____ Seal _____

On this 22nd day of December, in the year 1982 before me

a notary public, personally appeared Robert C. and Louise E. 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 _____) executed the same.

My commission expires 2-18-85 Notary Public residing at Grandview



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 57-7036 (late proof)
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				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

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Robert C. Davis
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 57-7037 issued pursuant to Application for Permit dated November 14, 1969,
and has submitted proof to the Department of Water Resources on February 21, 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:

Subject, however, to the condition that no more than 4.76 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 1071.0 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

[illegible]

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 57-7036 shall not exceed 1726.8 afa.
This right when combined with Right 57-7036 shall not exceed 4.81 cfs.

Acting for the Director

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-07037

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	65	3E	23															25		25
GIS																		26		26
Claim			26		35			37	21	27										120
GIS					26			36	26	30										118
Claim			27	40			38									25				103
GIS				40			39									25				104
Claim																				
GIS																				

Number of POD's 3

Total Claimed Acres: 248

Overlapping EOU Claim #'s:

Total GIS Acres: 248

COMMENTS:

County data indicates claimant doesn't own these parcels.
The claim maps are very precise; however parts of the
image & claim maps don't match in sections 23 & 26.
Per claim maps, image interpretation.

Idaho Department of Water Resources

Claim Number: 57-07037

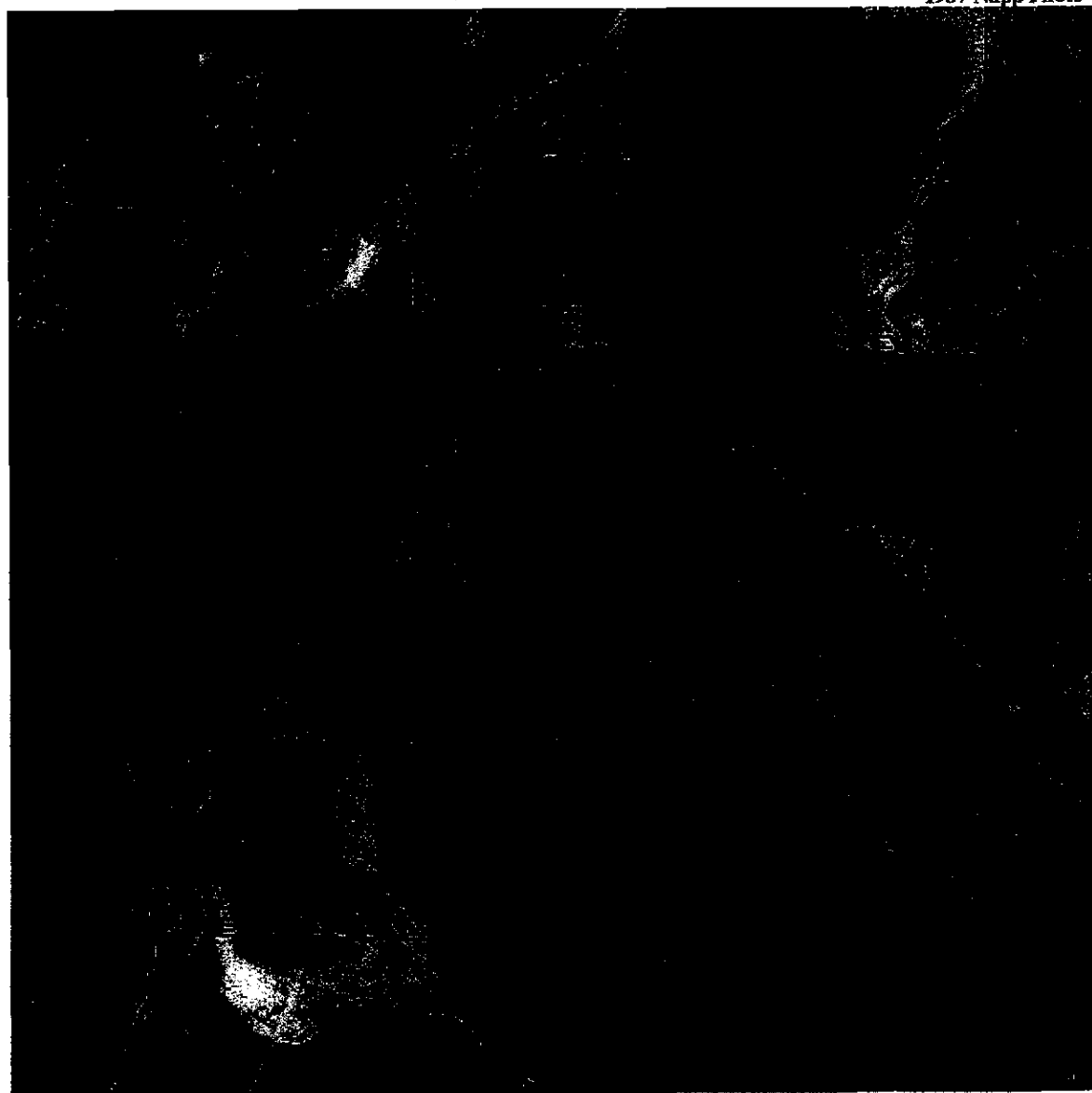
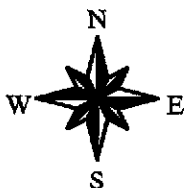
Legal: T06S, R03E, S23, 26, 27

T06S, R03E, S04

Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 0.75 1 Miles

Idaho Department of Water Resources

Claim Number: 57-07037

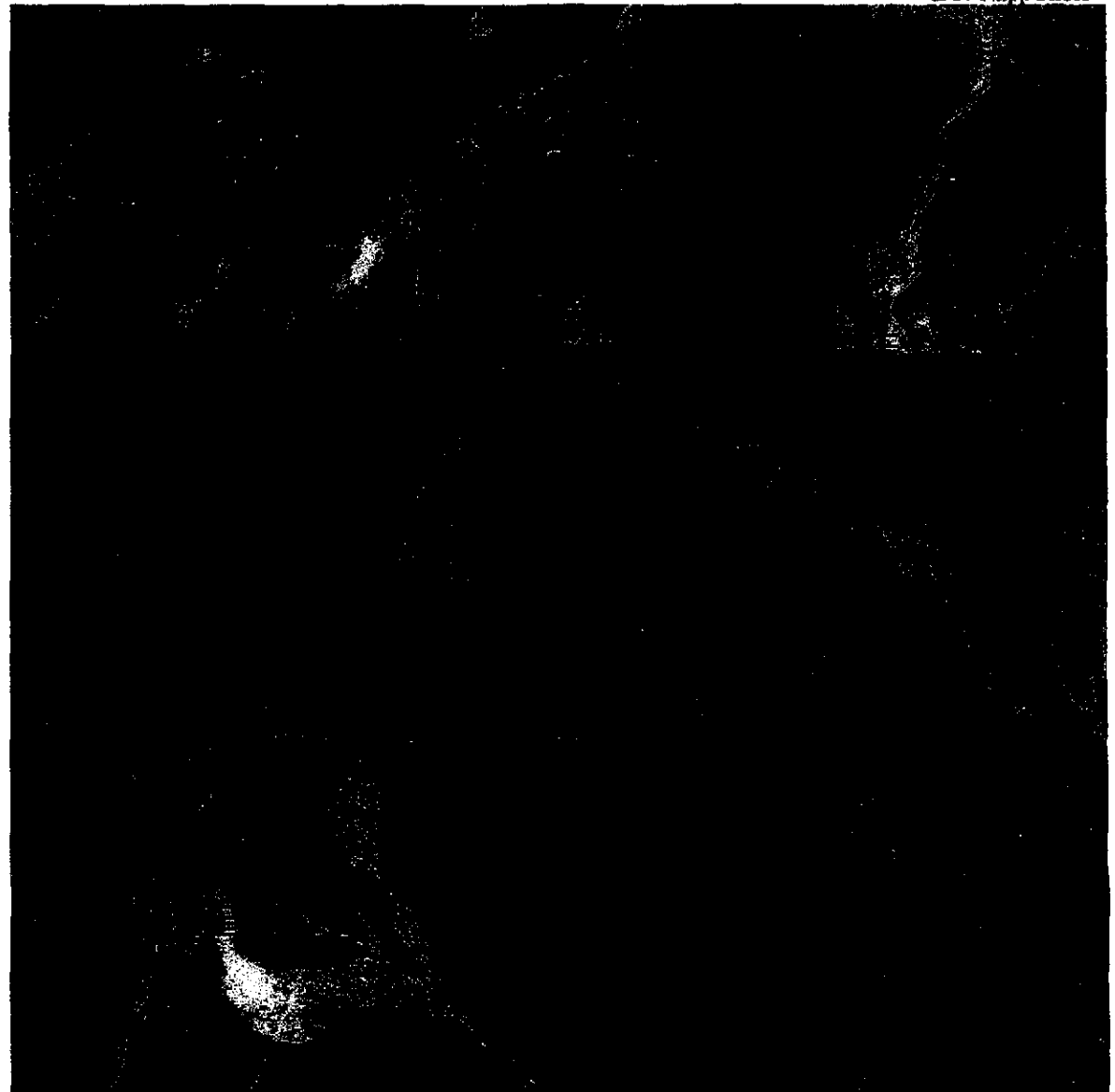
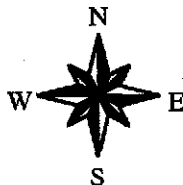
Legal: T06S, R03E, S23, 26, 27

T06S, R03E, S04

Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 0.75 1 Miles

A horizontal scale bar with alternating black and white segments. The segments are labeled with the values 0, 0.25, 0.5, 0.75, and 1 Miles.

AJ5856NP

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

RIGHT NUMBER: 57-07037

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

SOURCE: GROUNDWATER

QUANTITY: 4.76 CFS
1116.0 AFYUSE OF THIS RIGHT WITH RIGHT NO. 57-07036 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.76 CFS.

PRIORITY DATE: 11/14/1969

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

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	4.76 CFS 1116.0 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T06S R03E S23	SWSE 25.0
	S26	NWNE 35.0
	S27	NENE 40.0
		NENW 37.0
		SENE 38.0
		NWNW 21.0
		NESE 25.0
		SNNW 27.0
	248.0 ACRES TOTAL	

CONSUMPTIVE USE: 868.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT NO. 57-07036 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)

DATE OF CLOSING: November 14, 1995

RECEIVED

NOV 27 1996

Department of Water Resources

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**

RECEIVED

☐ 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)

NOV 27 1996

☐ Water Right Number(s)
Assigned by IDWR: A57-07036, A57-07037

WATER RESOURCES
WESTERN REGION

☐ 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 X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: 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: MTA

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

RECEIVED

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.

RECEIVED

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,

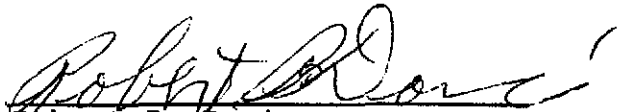
WHEREAS, an Order of Default Judgment and Decree of Foreclosure was entered in the United States District Court for the District of Idaho, United States of America, Plaintiff, vs. Robert B. Davis, et al., Defendants, Civil No. 92-0130-S-EJL, on February 16, 1995, whereby the above-described property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

217338

FILED-RECORDED

'95 DEC 5 AM 9 37

CLERK OF DISTRICT COURT
Donna De Villiers

CLERK OF DISTRICT COURT
George H. Henshaw
FILED
DEC 12 1995

RECORDED

INDEXED

217274

FILED-RECORDED

55 NOV 27 PM 1 13

U.S. Dist. Court
Donna DeChlor

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.

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.

CIVIL NO. 92-0130-S-EJL

CERTIFICATE OF SALE
PARCEL 1

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 $\frac{1}{4}$ SE $\frac{1}{4}$

24 Section 23: S $\frac{1}{4}$ 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 $\frac{1}{4}$ 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 $\frac{1}{4}$ SE $\frac{1}{4}$ 697.0 feet; thence
Southwesterly 2,730 feet, more or less, to the
Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 22;

thence North 2,640 feet, more or less, along the West line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ 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:

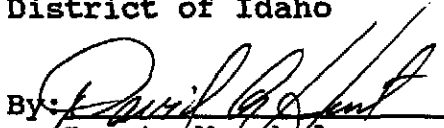
- 1 1/4 mile x 3" hand lines
- 11 1/4 mile x 4" wheel lines
- 1 1/3 mile x 12" buried steel mainline
- 1 1/4 mile x 10" alum portable mainline w/risers
- 1 1/4 mile x 8" alum portable mainline w/risers
- 1 1/4 mile x 6" alum portable mainline w/risers
- 2 200 HP Electric Pump & Motor Newman 200 HP
- 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 
14 Notary Public
15 for the State of Idaho
16 Residing at: Boise, Idaho
17 My Commission expires: 3/22/99

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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26
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1 States of America, the balance of \$131,169.06 in satisfaction of
2 its judgment.

3 Dated this 7th day of February
~~December~~, 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

VALUE RECEIVED,

DAVIS, a single man

does hereby grant, bargain, sell and convey

WILSON, a married woman,

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

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

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

SW1/4, NE1/4, NW1/4, NE1/4, NW1/4, NE1/4, NE1/4

3 A57-07037

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

SOLD the said premises, with their

said Grantee, her heirs and assigns

said Grantor does hereby covenant to and

that he is the owner in fee simple of

said premises are free from all

None.

rights, easements, covenants, restrictions
as appear of record or by use upon

of all taxing units not yet due and

in patents or state grants or in acts
thereof.

contracts between any irrigation district
premises are situated and any government or

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ORVILLE C. MONTGOMERY
Attorney at Law
515 W. Myrtle, Suite 102
Boise, Idaho 83702
Telephone: (208) 384-0003
Telex: (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

IN THE MATTER OF THE ESTATES OF
ROBERT C. DAVIS and LOUISE E.
DAVIS

Decedents.

SPAS 00560
CASE NO. SP 12-05004241-1
DETERMINATION OF HEIRS

On the 13th day of November, 1995, the Petition of Robert C. 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 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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MAR 28 1997
WATER RESOURCES
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 grandchildren, 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

FILED

11-22-95

THOMAS J. RYAN

MAGISTRATE

STATE OF IDAHO } ss.
County of Owyhee

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

Date 12-1-95

Jan Huntley, Jr., Clerk of the District Court

[Signature]
Deputy Clerk

[Signature]
Deputy Clerk

[Signature]
Deputy Clerk

SS DEC 1 AM 11:30

FILED

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.

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 \$14,000.00 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

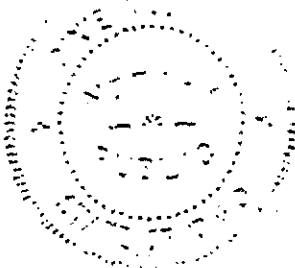
Date 6-12-96

Randy Hipwell
Randy Hipwell

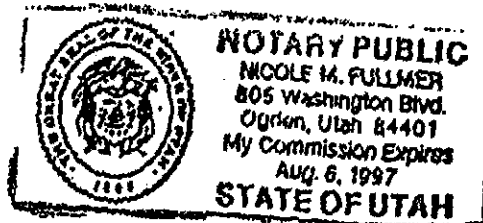
Nancy Hipwell
Nancy Hipwell

Date 6-12-96

Nicole M. Fullmer
Notary



Date 6-12-96



Doris McDane

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

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DEC 26 1996

WATER RESOURCES
WESTERN REGION

UNITED 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 Rebecca Parker, dba Parker Homes, 1509 Salem Street, Boise, Idaho, 83705, for the sum of \$30,000.00, that being the highest and best bid and she

1 being the highest and best bidder, which will more fully appear
2 by reference to a Certificate of Sale Parcel 2 given to said
3 Rebecca Parker, dba Parker Homes, 1509 Salem Street, Boise,
4 Idaho, 83705, on behalf of the said United States Marshal bearing
5 date of the 14th day of November, 1995,

6 AND, WHEREAS Randy Hipwell, P. O. Box 212, Grandview, Idaho,
7 83624, redeemed said property by delivering to the United States
8 Marshal the sum of \$31,311.78 within the time allowed for such
9 redemption and a Certificate of Redemption having been recorded
10 with the County Recorder's Office of Owyhee County, State of
11 Idaho, Instrument No. 218620, on April 16, 1996,

12 NOW, THEREFORE, I, James H. Benham, United States Marshal of
13 said District, by virtue of my office, for and in consideration
14 of \$31,311.78 paid to me from said redemption, have sold and by
15 these presents do sell all the real property situated in the
16 County of Owyhee, State of Idaho, and more particularly described
17 as follows:

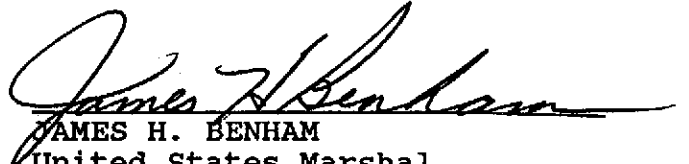
18 PARCEL II:

19 A parcel of land beginning at the Northwest corner of
20 the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Township 6 South Range 3 East,
21 B.M., Owyhee County, Idaho; thence East along the North
22 line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 697.0 feet; thence Southwesterly
23 2,730 feet, more or less, to the Southwest corner of
24 the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 22; thence North 2,640.0
25 feet, more or less, along the West line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ of
26 said Section 22 to the POINT OF BEGINNING.

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

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

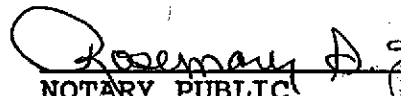
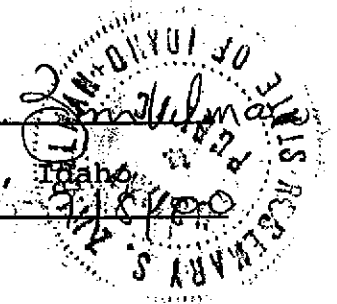
1 IN WITNESS WHEREOF, said grantor as Marshal aforesaid, doth
2 hereunto set his hand the day and year first above written.

3
4 
5 JAMES H. BENHAM
6 United States Marshal
7 For the District of Idaho

8 STATE OF IDAHO)
9 : ss.
10 COUNTY OF ADA)

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

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

21 
22 NOTARY PUBLIC
23 Residing at Boise, Idaho
24 My Bond Expires: 12/31/99
25 

RECORDED
BY John A. [illegible]

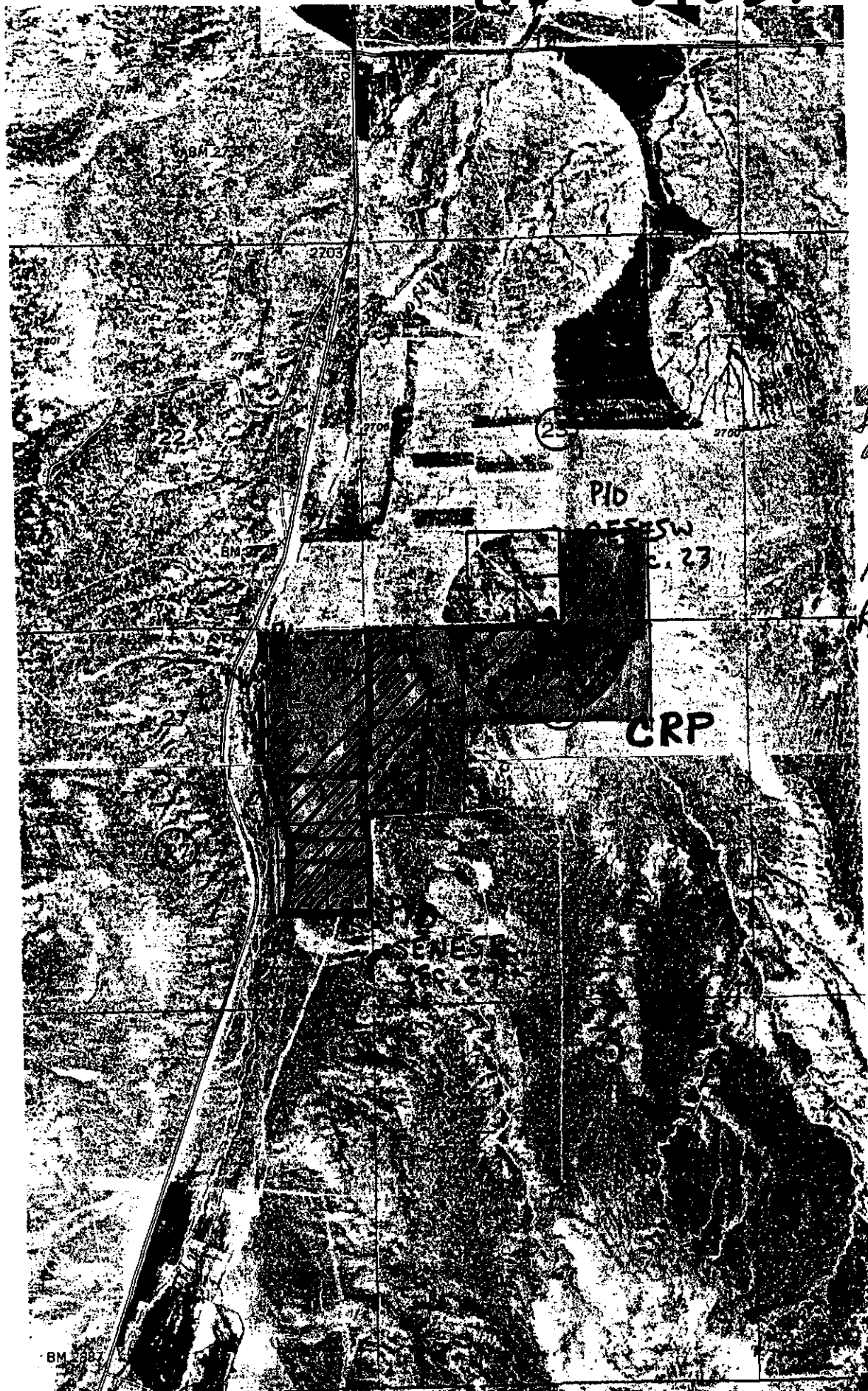
JIM HUNTLEY JR.
OWYHEE COUNTY RECORDER
BY John A. [illegible]
DEPUTY

'96 NOV 26 PM 2 06

FILED-RECORDED

220364

A57-07037



Contract of
Sale dated 6-16-96

////// =
R57-07037

UNCLASSIFIED

OCT 07 1992

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JUN 25 1997

Department of Water Resources
Adjudication Bureau

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 57-07037

1997 JUN 23 AM 11:21

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

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

SOURCE: GROUNDWATER

QUANTITY: 4.76 CFS
1116.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 57-07036 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.76 CFS.

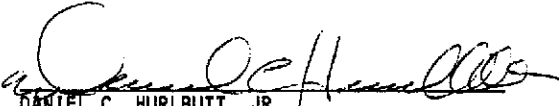
PRIORITY DATE: 11/14/1969

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	4.76 CFS
			1116.0 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T06S R03E S23	SWSE 25.0			
	S26	NWNE 35.0	NENW 37.0	NWNW 21.0	SNNW 27.0
	S27	NENE 40.0	SENE 38.0	NESE 25.0	
	248.0 ACRES TOTAL				

DATED:


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

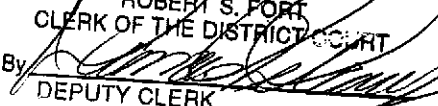
RULE 54(b) CERTIFICATE

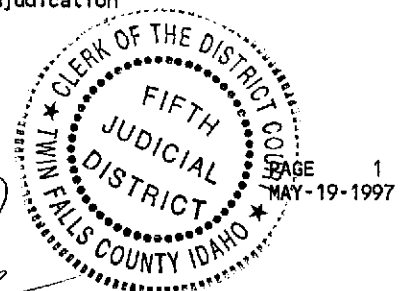
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 57-07037

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. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



AJ0749NP
No. 57-07037

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	11/14/1969	IRRIGATION	03-15 11-15	4.76 CFS	1116.00 AFA
TOTAL DIVERSION:					4.76 CFS	1116.00 AFA
CONSUMPTIVE USE:						868.00 AFA
D	LOUISE E 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
S26
S27

SESESW
NWNWNW
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	Lt	Ac	SUM			
06S	03E	23	:																		25.0			
06S	03E	26	:			35					37	21	27								120.0			
06S	03E	27	:	40					38									25			103.0			
TOTAL ACRES																				248.0				

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

Remarks: GEN RIGHT NO. 57-07036 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: CRP
ALL OF THE LANDS IN THIS RIGHT ARE UNDER CRP UNTIL 1997 AND 1998.

Date: 11/19/1991 User-ID: HOWERTON Subject: COPIED FROM REMARKS

AJ0749NP
No. 57-07037

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
JOINT WELL AGREEMENT ATTACHED. THREE WELLS ARE INTERCONNECTED &
SUPPLY WATER FOR THIS WATER RIGHT AND WATER RIGHT NO. 57-7036.

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 Re SRBA) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Right 57-07037

<u>1</u>	Change of Address
<u>X</u>	Substitution of Party
<u>1</u>	I.C. 42-222 Transfer

Water Right(s): 57-07037

From (Claimant/Seller):

Water Right Number: 57-07037

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

To (Claimant/Purchaser):

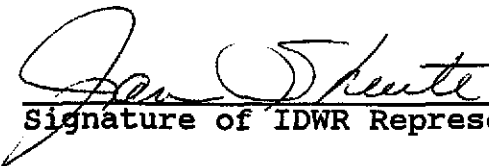
Water Right Number: 57-07037

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

57-07037

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

John 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

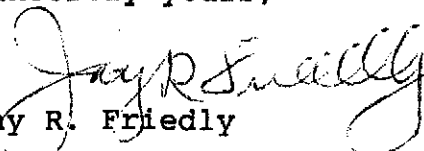
Dear Mr. Schulte:

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

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MAR 28 1997

WATER RESOURCES
WESTERN REGION

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HALL, FRIEDLY & WARD

FEB 24 1997

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

WATER RESOURCES
WESTERN REGION

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

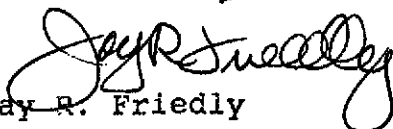
Dear Mr. Schulte:

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

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DEC 26 1996

WATER RESOURCES
WESTERN REGION

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

December 24, 1996

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

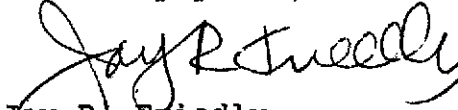
Re: SRBA Claim Nos. A57-07036 and A57-07037

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

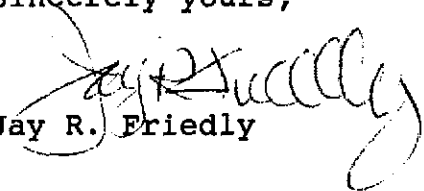
Re: Davis to Hipwell

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. R57-07037

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	LOUISE E DAVIS HC 85 BOX 373 GRAND VIEW ID 83624 (208) 834-2420	11/14/1969	IRRIGATION	03-15 11-15	4.76 CFS	1116.00 AFA
					TOTAL DIVERSION:	4.76 CFS
					CONSUMPTIVE USE:	1116.00 AFA 868.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T06S R03E S23	SESESW	OWYHEE County
	S26	NWNWNW	OWYHEE County
	S27	SENESE	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	23	:																	25.0
06S	03E	26	:			35				37	21	27								120.0
06S	03E	27	:	40				38								25				103.0
																			TOTAL ACRES	248.0

POU County: OWYHEE

Other Rights: SEE REMARKS

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 57-07036 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.76 CFS.

EXP RIGHT NO. 57-07036 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: CRP
ALL OF THE LANDS IN THIS RIGHT ARE UNDER CRP UNTIL 1997 AND 1998.

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. 57-7036.

Audit: 08/21/96 MSCHULTE

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-07037

NAME AND ADDRESS: LOUISE E DAVIS
HC 85 BOX 373
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 4.76 CFS
1116.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 57-07036 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.76 CFS.

PRIORITY DATE: 11/14/1969

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>	4.76 CFS
		<u>03/13 11/13</u>	1116.0 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T06S R03E S23	SWSE 25.0
	S26	NWNE 35.0 NENW 37.0 NWNW 21.0 SWNW 27.0
	S27	NENE 40.0 SENE 38.0 NESE 25.0
	248.0 ACRES TOTAL	

CONSUMPTIVE USE: 868.0 AFY

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

RIGHT NO. 57-07036 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. 57-07036 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOUISE E DAVIS HC 85 BOX 373 GRAND VIEW ID 83624 (208) 834-2420	11/14/1969	IRRIGATION	03-15 11-15	4.76 CFS	1116.0 AFA
					TOTAL DIVERSION:	4.76 CFS
					CONSUMPTIVE USE:	1116.0 AFA 868.0 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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06S	03E	23	:																	:	25.0
06S	03E	26	:			35				37	21	27								:	120.0
06S	03E	27	:	40				38								25				:	103.0
																				TOTAL ACRES	248.0

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 R57-07036

Other Water Rights Listing Overlapping Place(s) of use:
A57-07037

Remarks: RIGHT NO. 57-07036 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: 01/09/1992

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

Comments: Date: 11/19/1991 User-ID: HOWERTON Subject: CRP
ALL OF THE LANDS IN THIS RIGHT ARE UNDER CRP UNTIL 1997 AND 1998.

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. 57-7036.

MICROFILMED
OCT 07 1992

AJ0749NP
No. R57-07037

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

DATE: 07/23/92
PAGE: 2

Audit: 00/00/00

MICROFILMED

OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-07037

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 10-990	6	N	N		
PT. OF DIV.	Y		1,25	N			DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE	N		6	N			
PL. OF USE			6	N			FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF			5,6	Y			
CONSUMPTIVE USE			5	Y			
NATURE OF USE			6	N			
PERIOD OF USE	Y		5	Y			
BASIS OF CLAIM	Y		5	N			
REMARKS	Y		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

OCT 07 1992

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:57:16
09/01/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-07037

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

FIRST: LOUISE E.
STATE: ID ZIP: 83624

OWNER CODE: C

LAST: DAVIS
ADDRESS: STAR RT. BOX 373
CITY: GRANDVIEW
PHONE NUMBER: 208-000-0000

FIRST: ROBERT C.
STATE: ID ZIP: 83624

OWNER CODE: O

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER
Rdh

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: JOINT WELL AGREEMENT ATTACHED. THREE WELLS ARE INTERCONNECTED &
SUPPLY WATER FOR THIS WATER RIGHT AND WATER RIGHT NO. 57-7036.

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OCT 07 1992

CONTACT PERSON: ROBERT B. DAVIS

PHONE NUMBER: () -

DATE OF FIELD EXAM: 10 / 9 / 90

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: NONE

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: SON OF LOUISE E. DAVIS

DIRECTIONS TO PROPERTY / REMARKS:

DRIVE BY

SOUTH OF TRIANGLE DAIRY

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OCT 07 1992

A. AJ CLAIM: # A57-07037 PRIORITY DATE: 11-14-1969 STAGE: L
B. WR RECORD: # 57-07037 PRIORITY DATE: 11-14-1969 STAGE: L

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
11-14-1969

REVIEWED BY Rch DATE 10-20-91
=====

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OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-07037	06S	03E	26	NW	NW	NW		OWYHEE
A57-07037	06S	03E	27	SE	NE	SE		OWYHEE
A57-07037	06S	03E	23	SE	SE	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-07036 NONE

WR RECORDS IN SAME 40 ACRE TRACT

57-07036
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
57-07037	06S	03E	27		NE	SE		OWYHEE
57-07037	06S	03E	23		SE	SW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

57-07036
A57-07036
A57-07037

A57-07036 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

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:

Rch

DATE:

11-20-91

MICROFILMED

OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-07037

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	03E	23	SW	SE		DAVIS , LOUISE E.	A57-07037 /25.0	57-07037 /25.0	15.0	25	25
06S	03E	26	NW	NE		DAVIS , LOUISE E. DAVIS , ROBERT C.	A57-07037 /35.0	57-07037 /25.0 A57-07037 /25.0	26.0	35	35
06S	03E	26	NE	NW		DAVIS , LOUISE E. DAVIS , ROBERT C.	A57-07037 /37.0	57-07037 /37.0 A57-07037 /37.0	39.0	37	37
06S	03E	26	NW	NW		DAVIS , LOUISE E. DAVIS , ROBERT C.	A57-07037 /21.0	57-07037 /21.0 A57-07037 /21.0	39.0	21	21
06S	03E	26	SW	NW		DAVIS , LOUISE E. DAVIS , ROBERT C.	A57-07037 /27.0	57-07037 /27.0 A57-07037 /27.0	27.0	27	27
06S	03E	27	NE	NE		DAVIS , LOUISE E. DAVIS , ROBERT C.	A57-07037 /40.0	57-07037 /40.0 A57-07037 /40.0	38.0	40	40
06S	03E	27	SE	NE		DAVIS , LOUISE E. DAVIS , ROBERT C.	A57-07037 /38.0	57-07037 /38.0 A57-07037 /38.0	33.0	38	38
06S	03E	27	NE	SE		DAVIS , LOUISE E. DAVIS , ROBERT C.	A57-07037 /25.0	57-07037 /25.0 A57-07037 /25.0	31.0	25	25
TOTAL ACRES						A57-07037	248.00	238.00	248.00		

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Rch

MICROFILMED
OCT 07 1992

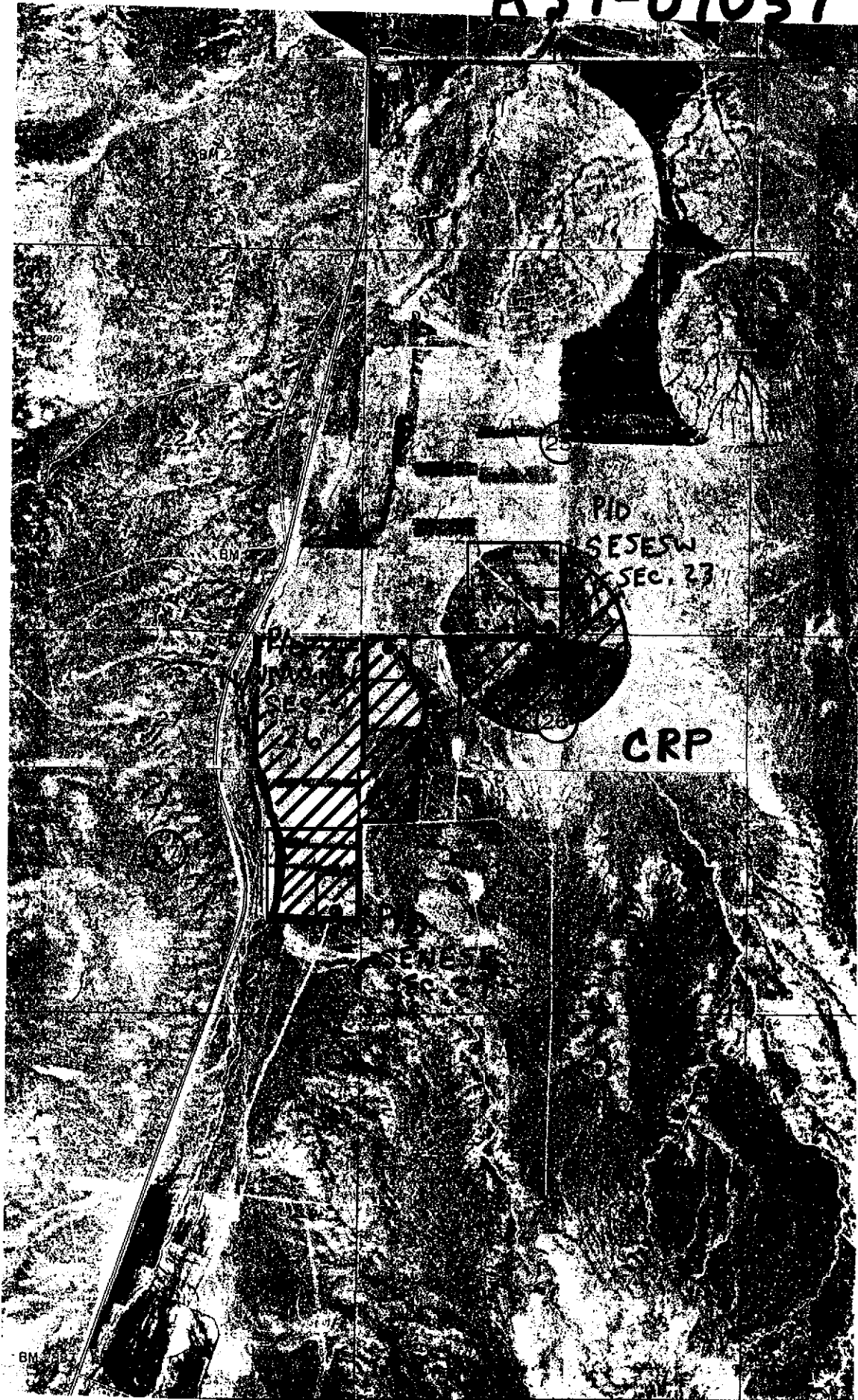
(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
	T06S R03E S23																		25
	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
A5707036	GROUNDWATE :							29	40	40	34	40	40						223
A5707036	GROUNDWATE :							29	40	40	34	40	40						223
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
A5707037	T06S R03E S26			35		37	21	27											120
	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
5707037	GROUNDWATE :		25		37	21	27												110
--86 MAP--	C73Q-AA 10 :		26	04		39	39	27	05		01								141
A5707037	T06S R03E S27		40		38									25					103
	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
0207157J	SNAKE RIVE :					40	40	40	40	40	40	40	40						320
5707037	GROUNDWATE :	40			38									25					103
--86 MAP--	C73Q-AA 10 :	38	20	24	33									31	12	17	04		179

MICROFILMED

OCT 07 1992

A57-07037



MICROFILMED

OCT 07 1992

CRP-2369 acres
AS 3-07037
CRP-448 acres
AS 1-07036
NOT CRP 164.5
AS 4-07036
NO IDIC, OVER 5 YEARS
ON AC RECORD TO MR. DAVIS,

CRP 1986-1991
B 352

CRP 1989-1998
B 352
HEU

2
3
4
5-6

03.2

161

1
2

PRESUMPTION FLAG: NONE

REMARKS:

ALL ACRES ARE IN CRP, 1988-1991 AND 1989-1998

RECOMMENDATIONS:

TOTAL ACRES: 248

REVIEWED BY: Rdh

DATE: 11-20-91

ACRES WERE DETERMINED BY ACS MAP IN THIS FILE

MICROFILMED

OCT 07 1992

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-07037 IRRIGATION	FROM 03-15 TO 11-15	4.760 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.760 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-07037 IRRIGATION	FROM 04-01 TO 10-01	4.760 CFS 1071.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.760 CFS 1071.00 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	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

DECREED FOR 3-15 to 11-15 SEE SHOOFLY DECREE.

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OCT 07 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 4.760 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.760 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

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

MICROFILMED

OCT 07 1992

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 248 x 0.02 CFS/ACRE = 4.96 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 = 868.0 AF/A

ACRES 248 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 868 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

ACRES 248 x DIVERSION VOL. AF/A FOR AREA 4.5 = 1116.0
CH'D. PER NEW SEASON/VOL MAP 1/6/92

TOTAL DIVERSION VOLUME 1240 AF/A

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

(DE CREE LIMITED THE SYSTEMS CAPACITY)

THE MAX CAPACITY WOULD BE ON THIS CLAIM NOW AS IT HAS THE MOST ACRES.

MICROFILMED
OCT 07 1992

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 4.760 EXAMINER 4.76	DATABASE EXAMINER 1240	DATABASE 868.0 EXAMINER 868
TOTAL FOR THIS RIGHT		4.760 4.76		868.0 868

REVIEWED BY:

Rch

DATE:

11-20-91

MICROFILMED
OCT 6 7 1992

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: 57-07037

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 4.760	EXAMINER <u>RCH</u>	CFS
-----------------------------------	-------------------	------------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-07037	4.760	-		57-07037	4.760
-	-		-		A57-07037	4.760
TOTAL CFS		4.760				4.760

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

DECREE LIMITED CFS WHEN COMBINED WITH 7036

AUTHENTICATION:

SIGNATURE:

Ron Howerton

DATE:

11-20-91

NAME OF FIELD EXAMINER:

RON HOWERTON

TITLE:

SR. WATER AGENT

OCT 6 / 1992

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PICTURE # 1

This land beyond the Sage Brush is in CRP it went into effect in 1988 and will come out in 1997. The **point of diversion** is on the right side of this photo in the background. This picture is at the most Southern end of the land. A57-07037.



10/9/90
Rch

PICTURE # 2

This picture shows the most Northern part of the place of use in the background that is in CRP.



10/9/90
Rch

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OCT 07 1992

10-15-90

OCT 15 1990

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A57-07036 AND A57-07037

NAME OF CONTACT ROBERT DAVIS OR MOM LOUISE DAVIS

PHONE NO. 834-2420 ADJ. AGENT RON

DATE SET FOR EXAM 10-9-90

LOCATION 0 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 CONNECTS

How 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. ADDRESS

IS HC 85 Box 373 TRYED SEVERAL TIMES TO CONTACT
MR. DAVIS. THIS TELEPHONE CONV. MEMO WAS AFTER
my fx.

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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

LOWISE E. DAVIS
HC 85 Box 373
GRAND VIEW ID 83624

Date: 7-19-90

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: Permit and/or Adjudication Claim No.s A57-07037

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
Ron Howerton
Senior Water Resource Agent

cc:RH:file

MICROFILMED
JUL 27 1992

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAEF Date 2/08/83
Right No. 57-7037 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. _____

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OCT 07 1992