

No Color
Documents
In File

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: **A57-10766**
Date Received: 3/ 7/1989
Receipt No: W002356
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GRAEME FREHNER 714-998-4476
Address: 1939 N WARBLER
ORANGE CA 92667

OR

Name: MAVIS FREHNER 714-998-4476
Address: 1939 N WARBLER
ORANGE CA 92667

2. Date of Priority: JAN 1, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	05W	5		3	OWYHEE

5. Description of diverting works:
300' WELL W/SUBMERSIBLE PUMP, 6" CASING

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	05W	5		3	DOMEST	

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:
MORTGAGE WITH HARRY WARNER ESTATE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____
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OCT 06 1992

AJ0749NP
No. 57-10766

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

DATE: 04/17/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GRAEME H FREHNER	01/01/1976	DOMESTIC	01-01 12-31	0.04 CFS	
C	MAVIS FREHNER					
	1027 VERDE WAY					
	GARDNERVILLE NV 894107511					
	(702) 265-1642					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T03N R05W S05 Lot03(NENW)

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
03N	05W	5	:																	:
			:																	:

POU County: OWYHEE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

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

Remarks: EXP PARCEL NO. RP0019710

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 11/07/1991 User-ID: SMITH Subject: COPIED FROM REMARKS
MORTGAGE WITH HARRY WERNER ESTATE.

Date: 12/05/1991 User-ID: MCCARTHY Subject: CHANGE OF OWNERSHIP
CHANGE OF OWNERSHIP PROCESSED 12-5-91

Date: 05/05/1995 User-ID: JSHURTE Subject: NAME CHANGE

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

=====

Comments: Date: 05/05/1995 User-ID: JSHURTE Subject: NAME CHANGE
THE DATA IN THE NAME FILE WAS CHANGED WITHOUT THE ABOVE USER
NOTING EXACTLY WHAT WAS CHANGED. TYPICALLY THIS CHANGE IS TO
THE CURRENT OWNER OF THE WATER RIGHT. HOWEVER, THE CHANGE MAY
BE TO ADD OR DELETE AN ATTORNEY OR LIENHOLDER, FOR EXAMPLE,
WITHOUT CHANGING THE CURRENT OWNER OF THE WATER RIGHT.

Date: 05/05/1995 User-ID: JSHURTE Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

Date: 01/04/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS

Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Date: 04/17/1997 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 04/17/97 SSHERMAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

April 17, 1997

KARL J. DREHER
DIRECTOR

GRAEME & MAVIS FREHNER
1027 VERDE WAY
GARDNERVILLE NV 89410-7511

RE: Snake River Basin Adjudication (SRBA)
Water Rights #57-10766, 57-10872 & 57-10892
Change of Address

Dear Claimants:

Thank you for responding so quickly to our address change letter. The water rights referenced above have been changed accordingly. Your decrees for domestic use and pamphlet are enclosed for your records.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there is a change in ownership of any of the properties connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:
Decrees and Pamphlet

*P.S. - Thanks for including your
new phone number too!*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
APR 16 1997
Department of Water Resources

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 7, 1997

GRAEME & MAVIS FREHNER
1027 VERDE WAY
GARDNERVILLE NV 89410-7511

Re: Snake River Basin Adjudication (SRBA)
Water Rights #57-10766, 57-10872 & 57-10892
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

#####

The address is correct as shown above or as otherwise changed.

Signature of Water Right Holder

Phone: 702-265-1642

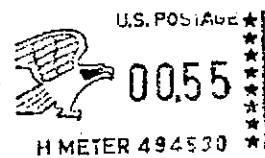
STATE OF IDAHO

District Court

Snake River Basin Adjudication

P.O. Box 2707

Twin Falls, ID 83303-2707



57-10766
+ 57-10892
+ 57-10892

FREH939 928671027 1B95 12/09/96
FORWARD TIME EXP RTN TO SEND
FREHNER
1027 VERDE WAY
GARDNERVILLE NV 89410-7511

RETURN TO SENDER



GRAEME & MAVIS FREHNER
1939 N WARBLER
ORANGE, CA 92667

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 57-10766

1996 DEC -3 AM 10:50
DISTRICT COURT - SRB
TWIN FALLS CO., IDAHO

NAME & ADDRESS: GRAEME H FREHNER
MAVIS FREHNER
1939 N WARBLER
ORANGE CA 92667

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1976

POINT OF DIVERSION: T03N R05W S05 LOT 3 (NENW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE DOMESTIC 1 HOME	PERIOD OF USE 01-01 12-31	QUANTITY 0.04 CFS
-------------------------------	-----------------------------------	------------------------------	----------------------

PLACE OF USE: DOMESTIC Within Owyhee County
T03N R05W S05 Lot 3 (NENW)

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: DEC - 3 1996


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.

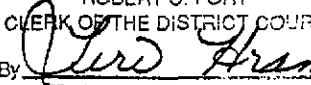
DATED: DEC - 3 1996

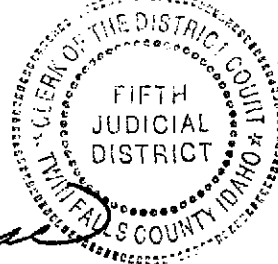

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED
JUN 06 1997

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.

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10766

ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



PAGE 1
NOV-18-1996

AJ5809NP
No. R57-10766

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/20/96
PAGE: 38

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GRAEME H FREHNER	01/01/1976	DOMESTIC	01-01 12-31	0.04 CFS	
C	MAVIS FREHNER					
	1939 N WARBLER					
	ORANGE CA 92667					
	(714) 998-4476					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03N R05W S05 Lot03(NENW) ✓

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
03N	05W	5	:																
			:																

POU County: OWYHEE

Non-Irrigation Uses: 1 HOME ✓

Other Rights: NONE

Conditions of Approval:

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

Remarks: EKP PARCEL NO. RP0019710

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 11/07/1991 User-ID: SMITH Subject: COPIED FROM REMARKS
MORTGAGE WITH HARRY WERNER ESTATE.

Date: 12/05/1991 User-ID: MCCARTHY Subject: CHANGE OF OWNERSHIP
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JUN 06 1997
MICROFILMED

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USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 10/18/96 DSHAFF

MICROFILMED
JUN 06 1997



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
NOV 08 1991

Please print or type

(see instructions on back of page)

Department of Water Resources

DATE OF CLOSING: Oct, 1989

LEGAL DESCRIPTION OF PROPERTY: Township 3 North Range 5 west of Boise Meridian
 Section 5, SE 1/4 of SW 1/4 of NE 1/4 Govt. Lot _____, BM.
 Lot 3, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A57-10766
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
Ed or Deb Leavitt
Box 1168
Home Dale, ID 83628
- ☐ New Owner/Claimant (Purchaser):
Graceme or Mavis FRENCH
- ☐ New Mailing Address:
1939 N. WARBLER
Orange, CA. 92667
- ☐ New Telephone Number: (714) 998-4476 (w) 714-731-7171
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Copy of Warranty Deed
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Graceme H French Date 11-5-91
 _____ Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
 _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-5-91 By: RTM

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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OCT 06 1992

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

INSTRUCTIONS

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

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

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

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

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

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

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

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

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

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

WARRANTY DEED

For Value Received, EDDY LEAVITT and DEBORAH L. LEAVITT, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto GRAEME HENRY FREHNER and MAVIS LELA FREHNER, husband and wife, the Grantees, of 1939 N. Warbler, Orange, CA 92667, the following described premises, situated in Owyhee County, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: October 6, 1989

Eddy Leavitt
EDDY LEAVITT

Deborah L. Leavitt
DEBORAH L. LEAVITT

STATE OF IDAHO)
 : ss.
County of Canyon)

On this 6th day of October, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared EDDY LEAVITT and DEBORAH L. LEAVITT, husband and wife, known to me to be the persons who executed the foregoing document and acknowledged to me that they executed the same.

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

James C. Campbell
Notary Public for Idaho
Residing at: Calowen **MICROFILMED**
OCT 16 1992

SECTION: 5
T3N, R5W, B.M.
DESCRIPTION A TRACT OF LAND
FOR: LOT 3

A part of the Southeast 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 5, Township 3 North, Range 5 West of the Boise Meridian in Owyhee County, Idaho, more particularly described to wit:

Commencing at the Southwest corner of the said Southeast 1/4 of the Southwest 1/4;

thence North 88° 52' 10" East (formerly stated as North 88° 53' East) 715.90 feet, along the South line of the said Southeast 1/4 of the Southwest 1/4;

thence North 1° 19' 15" West 880.15 feet (formerly stated as Northerly 881 feet to a point on the North edge of a concrete ditch;

thence North 83° 52' 46" West (formerly stated as Westerly) 224.50 feet, along the said North edge of a concrete ditch, to the INITIAL POINT of this description;

thence continuing along said North edge of a concrete ditch North 83° 52' 46" West 173.11 feet (formerly 173 feet);

thence North 1° 00' 56" West 618.01 feet (formerly stated as Northerly 626.4 feet), to a point on the Southwesterly right of way line of a State Highway;

thence meandering along said Southwesterly right of way line South 52° 03' 22" East 26.41 feet, to a point on a curve;

thence curving to the right 198.26 feet, along a curve having a radius of 2831.79 feet, a central angle of 4° 00' 41", a tangent of 99.17 feet and a chord bearing South 50° 03' 02" East 198.21 feet, (the last mentioned straight run and afore mentioned curve were formerly stated as Easterly 225.4 feet);

thence South 1° 11' 47" East 492.96 feet, (formerly stated as Southerly 501 feet), to the INITIAL POINT of this description.

Together with all water rights, ditch rights, rights of way, tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

This tract contains 2.186 acres, more or less, and is subject to all existing rights of way and easements.

EXHIBIT A

MICROFILMED
OCT 6 1992

Rec'd
10-10-92

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, That on this day of October
19 89 ,

EDDY LEAVITT and DEBORAH L. LEAVITT, husband and wife,

of Caldwell , County of Canyon
State of Idaho , the party of the first part, for and in consideration of the
sum of ----- TEN AND NO/100 ----- DOLLARS,
(\$10.00) of the United States of America, to them in hand paid by
GRAEME HENRY FREHNER and MAVIS LELA FREHNER, husband and wife,

of , County of
State of Idaho , the part Y of the second part, the receipt whereof
is hereby acknowledged, do es by these presents Grant, Bargain, Sell and Convey unto the said part y
of the second part, their executors, administrators and assigns, the following:

Debt
1974 Broadmore 14 x 70 Mobile Home, I.D. #5519, Title #515407
~~Air conditioner~~
Field pump
Sprinkler pipes
Water softener
Stove
Storage shed
Drapes and curtains
Swamp cooler
Irrigation pump and motor
Irrigation equipment

TO HAVE AND TO HOLD The same to the said part y of the second part, their executors,
administrators and assigns, forever; and the said part Y of the first part do es for their heirs,
executors and administrators, covenant and agree to and with the said part Y of the second part, their
executors, administrators or assigns to WARRANT and DEFEND the sale of said property, goods and
chattels hereby made, unto the said party of the second part, their executors,
administrators and assigns, against all and every person and persons whomsoever, lawfully claiming or
to claim the same.

IN WITNESS WHEREOF, the said party of the first part has hereunto set their
hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Eddy Leavitt (SEAL)
EDDY LEAVITT
Deborah L. Leavitt (SEAL)
DEBORAH L. LEAVITT

(SEAL)

MICROFILMED
OCT 06 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: A57-10766
Date Received: 3/01/1989
Receipt No: W002356
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ED LEAVITT 208-337-3850
Address: P.O. BOX 1168
HOMEDALE, ID 83628

OR
Name: DEB LEAVITT 208-337-3850
Address: P.O. BOX 1168
HOMEDALE, ID 83628

2. Date of Priority: JAN 01, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	05W	5		3	OWYHEE

5. Description of diverting works:
300' WELL W/SUBMERSIBLE PUMP, 6" CASING

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	05W	5		3	DOMEST	

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:
MORTGAGE WITH HARRY WARNER ESTATE.

15. Basis of Claim: BENEFICIAL USE

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OCT 06 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A37-10766Date Received 3/1/89Receipt Number W002356NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per dayRECEIVED
MAR 1 1989Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Edward LEAVITT Phone (208) 337-3850Mailing Address P.O. Box 1168 Homedale, Id. Zip 836282. Date of Priority (Only one per claim) 1-1-76 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3N Range 5WSection 5 1/4 of See Attached 1/4 of _____ 1/4, Govt. Lot #3, BM.,County of Owyhee

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. well 6" casing, 300' deep, submersible pump, gal. pipe to house.

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

For domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 householdMICROFILMED
OCT 6 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 3N Range 5W

Section 5, SEE ATTACHED 1/4, Govt. Lot #3, B.M.,

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

Additional places of use, if any _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.

Mortgage w/ HARRY WARRCE ESTATE

14. Remarks: Mortgage w/ HARRY WARRCE ESTATE

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

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments 1

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

Signature of Claimant (s) Deb Leavitt Date 2/28/89

Date _____

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

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

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ }
County of Owyhee } SS.

Subscribed and sworn (or affirmed) before me this 28th day of February 19 89

SEAL

Notary Public Barbara Davis

Residing at Wilden, Idaho

My Commission Expires 2-17-94 **MICROFILMED** **OCT 06 1992**

Last Name LEAVITT, Ed or Deb Ident No. _____

Copies: White-State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

RECEIVED

OCT 2 1988

COPY

QUITCLAIM DEED

DO NOT RECORD

THIS INDENTURE made this _____ day of _____, 1983, by and between LEROY ROBBINS, P.O. Box 1065, Lakeview, Oregon, party of the first part, and LINDA ROBBINS (formerly Linda Werner) of P.O. Box 1065, Lakeview, Oregon, party of the second part;

WITNESSETH, that the said party of the first part for and in consideration of the sum of One and No/100ths Dollar (\$1.00) lawful money of the United States of America, and other good and valuable consideration to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM unto the said party of the second part, and to the heirs and assigns of second party, forever, all of the following described real estate, situate, lying and being in Owyhee County, State of Idaho, to-wit:

SECTION: 5
T3N, R5W, B.M.
DESCRIPTION A TRACT OF LAND
FOR: LOT 3

A part of the Southeast 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 5, Township 3 North, Range 5 West of the Boise Meridian in Owyhee County, Idaho, more particularly described to wit:

Commencing at the Southwest corner of the said Southeast 1/4 of the Southwest 1/4;

thence North 88° 52' 10" East (formerly stated as North 88° 53' East) 715.90 feet, along the South line of the said Southeast 1/4 of the Southwest 1/4;

thence North 1° 19' 15" West 880.15 feet (formerly stated as Northerly 881 feet to a point on the North edge of a concrete ditch;

thence North 83° 52' 46" West (formerly stated as Westerly) 224.50 feet, along the said North edge of a concrete ditch, to the INITIAL POINT of this description;

thence continuing along said North edge of a concrete ditch North 83° 52' 46" West 173.11 feet (formerly 173 feet);

thence North 1° 00' 56" West 618.01 feet (formerly stated as Northerly 626.4 feet), to a point on the Southwesterly right of way line of a State Highway;

thence meandering along said Southwesterly right of way line South 52° 03' 22" East 26.41 feet, to a point on a curve;

thence curving to the right 198.26 feet, along a curve having a radius of 2831.79 feet, a central angle of 4° 00' 41", a tangent of 99.17 feet and a chord bearing South 50° 03' 02" East 198.21 feet, (the last mentioned straight run and afore mentioned curve were formerly stated as Easterly 225.4 feet);

thence South 1° 11' 47" East 492.96 feet, (formerly stated as Southerly 501 feet), to the INITIAL POINT of this description.

This tract contains 2.186 acres, more or less, and is subject to all existing rights of way and easements.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the

1/30/1989

, SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Leavitt

CLAIM IDENT. NO.

A57-10766

DATE RECEIVED

3/1/89

CK #

2321

AMOUNT \$

25

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ Required Info? *
- Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☐ YES ☒ NO ☐ Required Info? *
- Is the consumptive use correct? ☐ YES ☒ NO ☐ Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ Required Info? *
22. Should this claim be receipted and data entered? ☒ YES ☐ NO ☐ Required Info? *

Claim checked by: Op

Date:

3/6/89

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by: Op

Claim data entered by: Op

Sent to claimant by: Op

Date: 3/2/89

Date: 3/2/89

Date: 3/2/89

Checked by: OpDate: 3/2/89

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Comments: _____

OCT 16 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: R57-10766
Date Received: 3/ 7/1989
Receipt No: W002356
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GRAEME FREHNER 714-998-4476
Address: 1939 N. WARBLER
ORANGE CA 92667

OR

Name: MAVIS FREHNER 714-998-4476
Address: 1939 N. WARBLER
ORANGE CA 92667

2. Date of Priority: JAN 1, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	05W	5		3	OWYHEE

5. Description of diverting works:
300' WELL W/SUBMERSIBLE PUMP, 6" CASING

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOUSE

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OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	05W	5		3	DOMEST	

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:
PARCEL NO. RP0019710

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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OCT 06 1992

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - -

PHONE - 208-337-3850

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +

MICROFILMED
OCT 06 1992

WATER RIGHT NUMBER - A57-10766

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 03/07/89 HARRIS 10/24/89 REFUNDML

+-----COMMENTS-----+
NO COMMENTS FOUND[illegible]

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
OBJECTION FILED DATE	-	00/00/0000	FIELD INSPECTION FLAG	-		OLD CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	03/07/1989	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	W002356	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-	OR			

RP 0019710

RP 0019710
 1/2 F rebner, Graeme H & M Mavis L
 1939 N Warbler
 Orange, Ca 92667

DATA ENTRY

ENTERED 11-7-91 DWS

CHECKED 4/29/91 DCD

PROOF

MAR 01 1991

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

APR - 1991

CERTIFIED
APR 27 1991
WATER EXAMINER

MICROFILMED
OCT 06 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

- Ed or Deb Heavitt
- c/o Graeme or Mauris Fehner
- 1939 N. Warbler
- Orange CA 92667

RECEIVED

OCT 31 1991

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MAILING DATE: Oct. 29, 1991

RESPONSE DATE: Nov. 12, 1991

Department of Water Resources
Western Regional Office

RE: NOTICE OF CLAIM NO[S]: #57-10766

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

- Ed or Deb Heavitt
- P.O. Box 1168
- Homedale Id. 83628

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

- Change of Ownership Form
- Change of Address Form

MICROFILMED
OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 7, 1989

Ed or Deb Leavitt
P.O. Box 1168
Homedale, ID 83628

Dear Mr. & Mrs. Leavitt:

We have received and processed your Notice of Claim submitted for your well located in Sec. 5, Twp. 3N, Rge. 5W. Enclosed is a copy of our computer generated form for your records.

One item that should be clarified at this time concerns your legal description as shown on the Quitclaim Deed submitted with your claim (copy enclosed). The deed lists Lot 3 (yellow highlight) in Sec. 5, and then further describes the land as lying within the SE 1/4 SW 1/4, NE 1/4 SW 1/4, (pink highlight) Sec. 5, both in Twp. 3N, Rge. 5W. As a review process we pull and copy the Government plat which shows the location of Lot 3. On the old survey and the newer survey it shows Lot 3 as lying within the NE 1/4 NW 1/4 of Sec. 5 (yellow highlight on maps). Then, the SE 1/4 SW 1/4, NE 1/4 SW 1/4 are highlighted in pink to show the distance between the two legals. At this point we can list your legal as Lot 3, NE 1/4 NW 1/4, Sec. 5, Twp. 3N, Rge. 5W. However, if you could mark the location of the well and home on the map enclosed we can then be sure your claim reflects the correct legal. You may want to correct your Quitclaim Deed once the correct legal is located.

Please return the map with your location marked and we can change your claim accordingly. Feel free to contact me if you have any questions.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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OCT 6 1992