

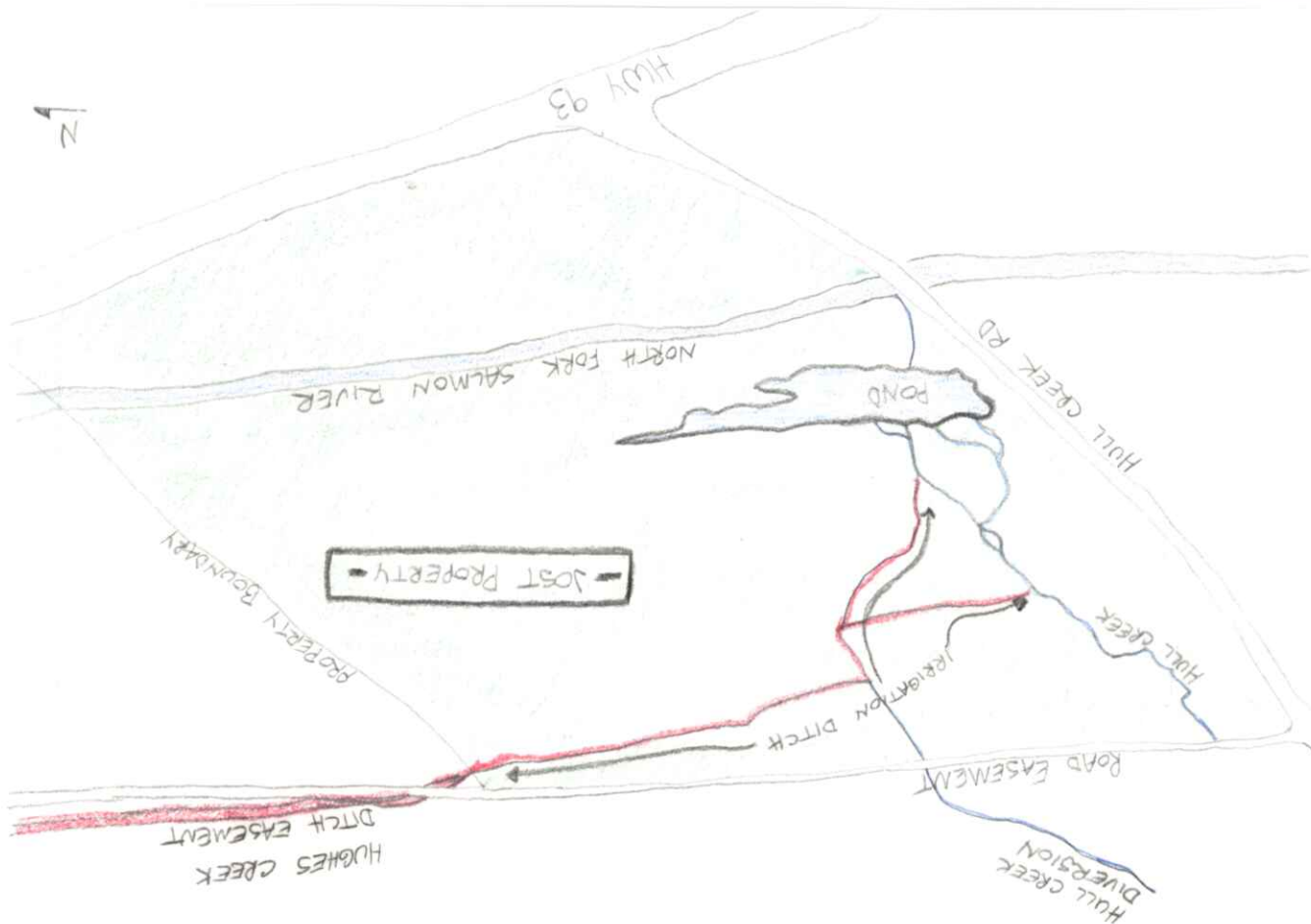
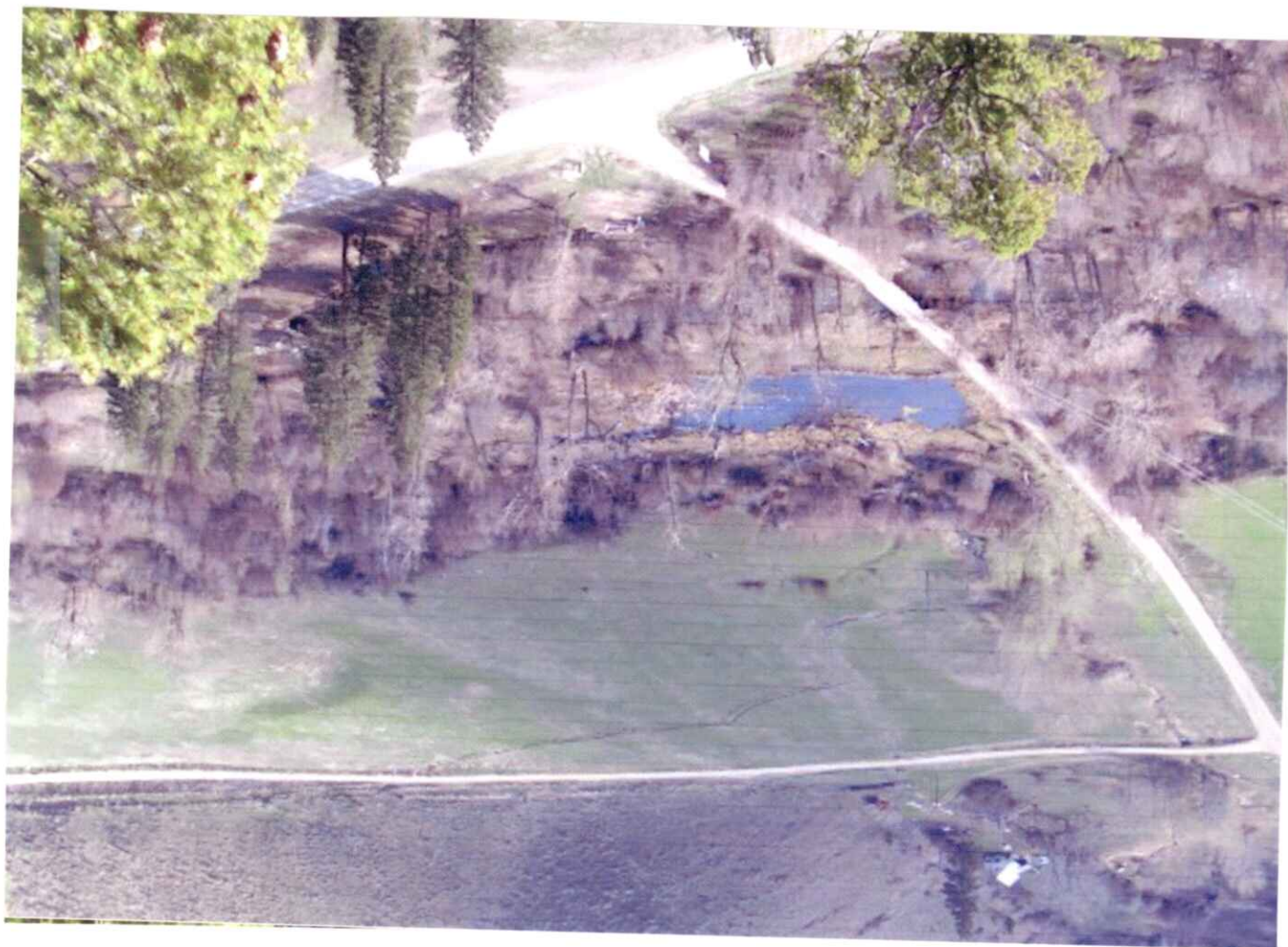
Water Right Claim: 75-14160 (formerly 75-4368)

27 Jul 05

Attached is a photograph of our property, Lot 1 of the Becker Estates in North Fork, ID, taken from atop a rocky bluff directly adjacent the property in 2003. Attached to the photograph is a diagram describing details within the photograph for clarity. Note the Hull Creek diversion entering our property in the top left (southwest) corner. This diversion ditch was present and was actively being used when we (my husband Stephen and I) purchased the property in October 2002. We believe the ditch to currently be dry because the recent resident of the property on which the point of diversion is located manipulated the diversion mechanism so as to wrongfully prevent water from entering the ditch. My husband and I intend to re-open the diversion mechanism and once again use the ditch for irrigation during our next trip to our property, scheduled for later this year. (We currently reside out of state.)



Kelly Jost



Water Right Claim: 75-14160 (formerly 75-4368)

27 Jul 05

Attached is a letter to landowners of the subdivided Becker Estate in North Fork, ID. The letter is from the estate representative who originally subdivided and sold the properties within the estate, Robert Farnum, of Holden, Kidwell, Hahn & Crapo, P.L.L.C. in Idaho Falls, ID.

Paragraph 4 of the letter details a forthcoming affidavit from 85-year-old AdaRuth Colwell which will show personal knowledge of beneficial irrigation use of water from Hull Creek &/or Hughes Creek on our property, Lot 1 of the Becker Estates. I will forward that document to you as soon as I receive it, as further evidence of our claimed priority date.

A handwritten signature in cursive script, appearing to read "Kelly Jost".

Kelly Jost

Law Offices  
**HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.**

KENT W. FOSTER  
ROBERT E. FARNAM  
WILLIAM D. FALER  
CHARLES A. HOMER  
GARY L. MEIKLE  
DONALD L. HARRIS  
DALE W. STORER  
MARIE T. TYLER  
ROBERT M. FOLLETT  
FREDERICK J. HAHN, III  
KARL R. DECKER  
THEL W. CASPER\*  
SHAN B. PERRY  
AMELIA A. SHEETS  
DEANNE CASPERSON\*\*

US BANK BUILDING  
330 SHOUP AVENUE, THIRD FLOOR  
P.O. BOX 50130  
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620  
FACSIMILE (208) 523-9518  
E-MAIL RFARNAM@HOLDENLEGAL.COM

Arthur W. Holden  
(1877-1967)  
Robert B. Holden  
(1911-1971)  
Terry L. Crapo  
(1939-1982)  
William S. Holden  
(1907-1988)

Of Counsel  
Fred J. Hahn

\*Also Licensed in Utah and Arizona

\*\*Also Licensed in Missouri and Kansas

July 22, 2005

Sue Meeks  
12477 West Rutherford Ct.  
Boise, ID 83709-0014

Claude Johnson  
P.O. Box 86  
North Fork, ID 83466

Robert and Carrie Archie  
13155 Thomas Creek Road  
Reno, Nevada 89511

Stephen & Kelly Jost  
3309 Teal Sunset Street  
Las Vegas, Nevada 89129

Mike, Meta, and Glenda Hollingsworth  
1212 York Avenue  
Fort Pierce, Florida 34982

Sean Babcock  
18935 N.W. Auora Street  
Portland, Oregon 97229

Scott Hatch  
P.O. Box 141  
North Fork, Idaho 83466

Gregory and Theresa Aland  
P.O. Box 275  
North Fork, Idaho 83466

RE: Becker Estate

Ladies and Gentlemen:

Enclosed is a copy of a letter from the State of Idaho, Department of Water Resources, regarding evidence of priority date of water rights. This involves the property you purchased from the Daryl Becker Estate, or in the case of Mr. Johnson and Mr. Hatch, purchased

directly from the Becker's before their deaths. We are forwarding a copy of this information to you so that you can act to protect your water rights on the property. Actually, I believe this information has previously been sent directly to you by the Department of Water Resources since you are record owners of the property. I have discussed this matter with Kelly Jost and she did advise me that information was forwarded to her.

You may not be aware of the Snake River Adjudication process that is re-adjudicating all water rights in the Snake River Basin. Basically, the State of Idaho has chosen to redetermine all priority rights of water rights in the Snake River Basin. This is involved in a massive court proceeding that will undoubtedly continue for many years. It is necessary for each property owner to re-verify their priority for use of the water. If you fail to do so, you could forfeit your priority rights. Even if you cannot respond by the July 29, 2005, deadline, it is my understanding that it is important to still respond as soon as possible.

As is pointed out in Section 11 of the protective covenants for the subdivision (a copy of this section being enclosed in case you do not have them available), the water rights from Hughes Creek Ditch are subject to the provisions of Idaho law providing that an organization automatically comes into existence for management of this ditch, referred to as "a lateral ditch water users association". It is my understanding however that each individual owner of the water rights still must submit the evidence of the priority date. You will note that the restrictive covenant provision regarding the lateral ditch association would also appear to apply to Mr. Hatch and Mr. Johnson who previously purchased property from the Beckers during their lifetimes. It is our understanding Mr. Hatch has sold a portion of his property and we would recommend that he advise that purchaser of this situation.

Paragraph 4  
The difficulty faced on this by most people is proving the time of the initial use of the water on the property. The only person that I was aware of that could be helpful on this was Sue Meeks, the daughter of Daryl Becker, since she grew up on the property. Although Sue does have knowledge about the property dating back to about 1960, she pointed out that she is acquainted with a lady named AdaRuth Colwell who grew up on the property during the time it was owned by the prior owners. She is approximately 86 years of age so should have reasonable knowledge about the situation dating back to the late 20's. Sue has volunteered to help us obtain affidavits from AdaRuth regarding her knowledge and will provide one as to her knowledge also. I will obtain affidavits and send them to each of you in case you wish to utilize them to support your position.

While in the course of pursuing this information, I received a call from Kelly Jost who indicated that she has been actively proceeding to protect her rights in the property, having

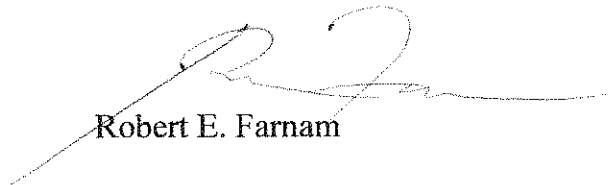
Lot Owners  
July 22, 2005  
Page 3

previously received the notice. In the course of her investigation, she advised us that she has been advised by Bob Foster of the Idaho Department of Water Resources that the original homestead document could be used to support proof of the priority dates. Kelly was kind enough to fax a copy of this document to me with permission to forward it to the rest of you. I am therefore enclosing it with the hope that this will be beneficial.

In reviewing this with my water law partner, Kent Foster, he indicates that although the homestead will hopefully be beneficial, he would not recommend anyone rely on it as the sole source of their proof.

If you have any questions on this, please don't hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Farnam', is written over the printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robert E. Farnam

Enclosures

G:\WPDATA\REF2481\LotBuyers.ltr.wpd:ss

Water Right Claim: 75-14160 (formerly 75-4368)

27 Jul 05

Original Homestead Document filed with Lemhi County Clerk, claiming water rights to our property (Lot 1, Becker Estates, North Fork, ID), dated 30 March 1916.

A handwritten signature in cursive script, appearing to read "Kelly Jost".

Kelly Jost

## THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Charles M. Hull has been established and duly consummated, in conformity to law, for the H. E. Survey No. 89, comprising Tracts A and B, embracing a portion of the unsurveyed public domain, Idaho, more particularly bounded and described as follows:

Beginning for the description of Tract B at corner No. 1, from which the north quarter corner of Section four in Township twenty-four north of Range twenty-one east of the Boise Meridian bears south nineteen degrees, forty-two minutes, forty-five seconds east one hundred eleven and eighty-two-hundredths chains distant; thence north one degree, nine minutes east fifteen and sixty-six-hundredths chains to corner No. 2; thence north forty-nine degrees, twenty-eight minutes west five and thirty-eight-hundredths chains to corner No. 3; thence north fifty-seven degrees, twenty-one minutes west six chains to corner No. 4; thence north twenty-nine degrees, ten minutes east three and sixty-four-hundredths chains to corner No. 5; thence south eighty-three degrees, fifty-two minutes east eight and forty-nine-hundredths chains to corner No. 6; thence south eleven degrees, fifty-nine minutes west five and seventy-eight-hundredths chains to corner No. 20; thence south seventy-five degrees, eighteen minutes east seven and two-hundredths chains to corner No. 21; thence south eighty degrees, forty-three minutes east six and twenty-five-hundredths chains to corner No. twenty-two; thence south thirty-three degrees, twenty-four minutes west twelve and fifty-nine-hundredths chains to corner No. 23; thence south forty-seven degrees, seventeen minutes west eight and forty-four-hundredths chains to corner No. 1, the place of beginning;

Beginning for the description of Tract A at corner No. 16, from which U. S. Forest Service Monument bears south sixty-two degrees, thirty-five minutes east one and forty-two-hundredths chains distant; thence south eighty-three degrees, forty-seven minutes west five and twenty-seven-hundredths chains to corner No. 17, from which corner No. 22 of said Tract B bears south one degree, thirty-two minutes west fifty links distant; thence north eighty degrees, forty-three minutes west six and fifteen-hundredths chains to corner No. 18; thence north seventy-five degrees, eighteen minutes west six and fifty-three-hundredths chains to corner No. 19; thence north eleven degrees, fifty-nine minutes east five and eighty-four-hundredths chains to corner No. 7; thence north twenty-one degrees, forty-three minutes east seventeen and nineteen-hundredths chains to corner No. 8; thence north thirteen degrees, thirty-one minutes east twenty-three and fifty-five-hundredths chains to corner No. 9; thence south seventy-two degrees, forty-one minutes east four and ninety-four-hundredths chains to corner No. 10; thence south seven degrees, twelve minutes east one and sixty-two-hundredths chains to corner No. 11; thence south forty degrees, fifty minutes east eight and thirty-three-hundredths chains to corner No. 12; thence south three degrees, twenty-five minutes west three and eighteen-hundredths chains to corner No. 13; thence south twenty-six degrees, one minute west six and ninety-one-hundredths chains to corner No. 14; thence south four degrees, fifty-five minutes west four and fourteen hundredths chains to corner No. 15; thence south five degrees, eighteen minutes west twenty-three and eighty-seven-hundredths chains to corner No. 16, the place of beginning, containing seventy-nine acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant, the tracts of Land above described; TO HAVE AND TO HOLD the said tracts of Land, with the appurtenances thereof, unto the said claimant, and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the THIRTIETH day of MARCH in the year of our Lord one thousand nine hundred and SIXTEEN and of the Independence of the United States the one hundred and FORTIETH.

SEAL.

By the President: Woodrow Wilson  
By M. P. LeRoy, Secretary,  
L. O. C. Lamar  
Recorder of the General Land Office.

RECORDED: Patent Number 522238

Recorded at the request of C. M. Hull Nov. 9th, 1916 at --- minutes past 11 o'clock A. M., in Book Y of Deeds page 121, Records of Lemhi County, Idaho.

BY W. W. L. L. L.

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

## CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Daryl A. Becker and Virginia H. Becker,  
(Name of Claimant)

P. O. Box 1155, North Fork, Idaho 83466  
(Mailing Address)

Telephone No. 865-2162

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) May 1, 1913

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

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

Describe the source of water: (Name of stream, lake, spring, etc., or ground water)  
Hull Creek tributary to North Fork River

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

| (cfs, gpd, AFA) |         | (Domestic, Irrigation, Stock, Etc.) |            | (Both dates Inclusive) |                  |
|-----------------|---------|-------------------------------------|------------|------------------------|------------------|
|                 |         |                                     |            | (Mo., Day)             | (Mo., Day)       |
| Quantity        | 1.0 cfs | Use                                 | Irrigation | Period of Use From     | Apr. 1 To Nov. 1 |
| Quantity        |         | Use                                 |            | Period of Use From     | To               |
| Quantity        |         | Use                                 |            | Period of Use From     | To               |
| Quantity        |         | Use                                 |            | Period of Use From     | To               |
| Quantity        |         | Use                                 |            | Period of Use From     | To               |

(4) 1.0 cfs TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ NE ¼ Sec. 29 Twp. 25N Rge. 21E B.M., County of Lemhi

Additional points of diversion: SW<sub>1</sub> NW<sub>4</sub> sec. 28 T 25N, R 21E.

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. canvass dams are placed in Hull Creek itself and adjacent land flooded.

(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.

[illegible]

No. of acres 40

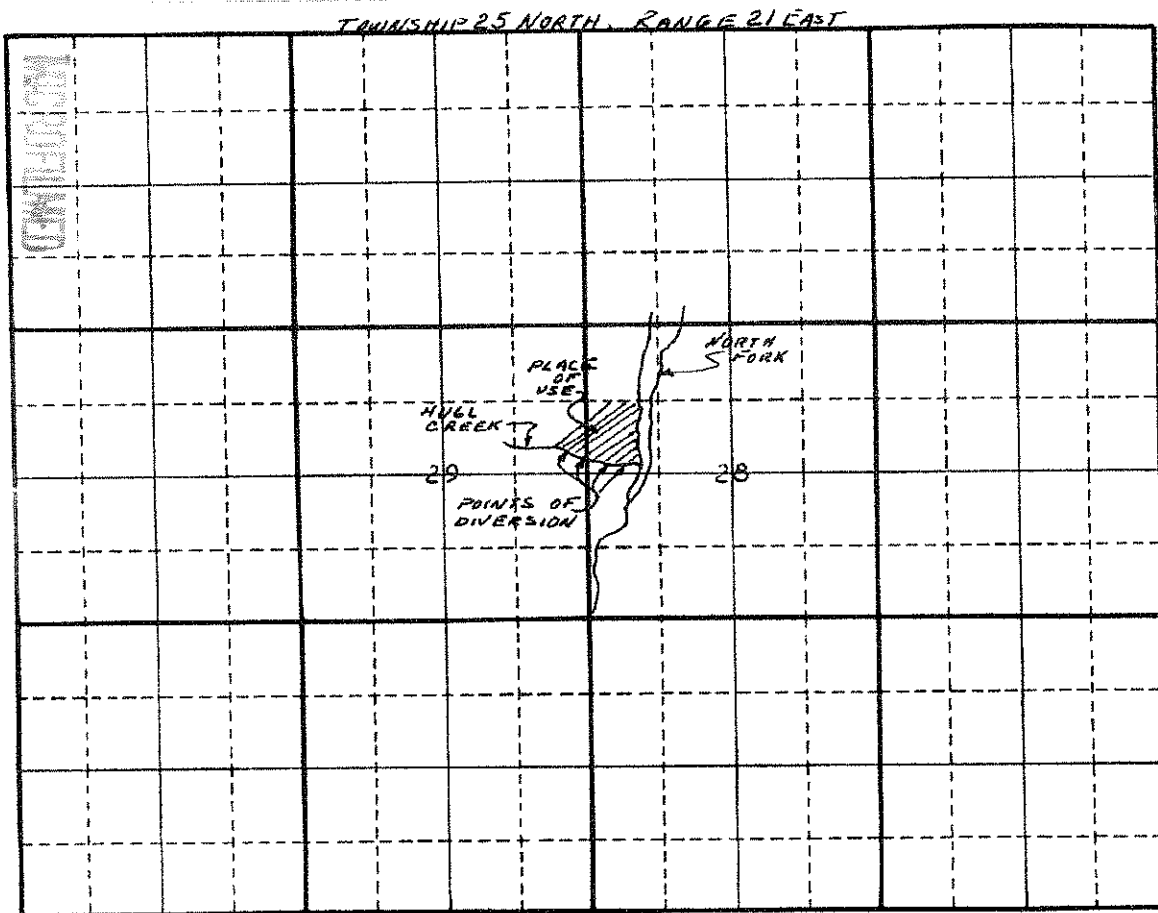
**B) If water is used for other than irrigation, fully describe that use, being as specific as possible:**

**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

75 4368



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of BONNEVILLE ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Royce H. Beaber  
(Claimant)

Sworn to before me this 11<sup>th</sup> day of NOVEMBER, 19 82.

Paul W. Vetter  
Notary Public  
Residing at IDAHO FALLS

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by BP Date 3/28/83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by SM Date 5/11/83 claimant by: \_\_\_\_\_  
\$20.00 fee received by BP Date 5/18/83  
Published in Reclamer, Herald \_\_\_\_\_  
Dates 5/26 - 6/2/83

**NOTICE OF CLAIMS  
TO WATER RIGHTS**

The following claim(s)  
have been filed on water  
right(s) created by diver-  
sion and beneficial use:  
75-4363

**BILLS-AUSTIN ENTER-  
PRISES, INC.**  
DAY, RONALD &/or  
MERLENE  
BOX 789, SALMON, ID  
83467  
Source: SALMON RIVER  
trib. to SNAKE RIVER  
Priority Date: 03/02/1967  
Diversion Pt: NWNE Sec  
21 T 23N R 17E  
Use: IRRIGATION (0.11  
CFS)  
In: NENE NWNE Sec 21 T  
23N R 17E FOR 2 ACRES  
75-4366

**STOKES, ROBERT H. &/  
or JEAN**  
BOX 728, SALMON, ID  
83467  
Source: WASTEWATER  
trib. to SALMON RIVER  
Priority Date: 04/01/1986  
Diversion Pt: SWNE Sec  
18 T 22N R 22E  
Use: IRRIGATION (1.06  
CFS)  
In: NESW SESW NWSE  
SWSE Sec 07 T 22N R 22E  
NWNE Sec 18 T 22N R  
22E FOR 94 ACRES  
75-4367

**STOKES ROBERT &/or  
JEAN**  
BOX 728, SALMON, ID  
83467  
Source: SPRING trib. to  
UNNAMED DITCH  
Priority Date: 06/01/1912  
Diversion Pt: NWNW Sec  
18 T 22N R 22E  
Use: IRRIGATION (0.40  
CFS)  
STOCKWATER (0.03  
CFS)  
In: NWNE NENW Sec 18  
T 22N R 22E NESW  
SESW Sec 07 T 22N R 22E  
FOR 32 ACRES  
75-4368

**BECKER, DARYL A. &/  
or VIRGINIA H.**  
P. O. BOX 1133, NORTH  
FORK, ID 83466  
Source: HULL CREEK  
trib. to SALMON RIVER,  
NORTH FORK  
Priority Date: 03/01/1913  
Diversion Pt: SENE Sec.  
29 T 23N R 21E SWNW  
Sec 28 T 25N R 21E  
Use: IRRIGATION (1.00  
CFS)  
In: SENE Sec 29 T 23N R  
21E SWNW Sec 28 T 25N  
R 21E FOR 40 ACRES  
75-4369

**FIRST FEDERAL SAV-  
INGS & LOAN ASSOC.**  
198 N. MAIN, LOGAN,  
UT 84321  
Source: TWELVE MILE  
CREEK trib. to SALMON  
RIVER  
Priority Date: 11/23/1922  
Diversion Pt: NENW Sec  
01 T 19N R 21E  
Use: IRRIGATION (1.60  
CFS)  
In: LOT 03 (NENW) LOT  
04 (NWNW) Sec 01 T 19N  
R 21E LOT 07 (NWSW)  
LOT 10 (SWSW) Sec 36 T  
20N R 21E FOR 20  
ACRES

**Affidavit of Publication**

STATE OF IDAHO }  
County of Lemhi }

JUN 3 1983

U. S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND RESOURCES  
Eastern District Office

**JERRY G. ROSIN**

being first duly sworn, deposes  
and says that he is one of the printers (publisher) of the RECORDER HERALD,  
a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general  
circulation therein.

That the Notice of Claims to Water Rights 75-4365 through  
75-4370

a true  
printed copy of which is attached to the margin hereof, has been and was correct-  
ly printed and published in the regular and entire issue of every number of said  
newspaper and not in any supplement thereof or thereto for 2  
consecutive issues, commencing with the issue dated May 26, 1983,  
and ending with the issue dated June 2, 1983.

Subscribed and sworn to before me, this second  
day of June, 1983.

*Notary Public*  
Notary Public for the State of Idaho,  
Residing at Salmon, Idaho

Publication Fee \$ 57.15

75-4368

BECKER, DARYL A. &/or VIRGINIA H.

P.O. BOX 1155, NORTH FORK, ID 83466

Source: HULL CREEK trib. to SALMON RIVER, NORTH FORK

Priority Date: 05/01/1913

Diversion Pt: SENE Sec 29 T 25N R 21E SWNW Sec 28 T 25N R 21E

Use: IRRIGATION (1.00 CFS)

In: SENE Sec 29 T 25N R 21E SWNW Sec 28 T 25N R 21E FOR 40 ACRES

75-4368

BECKER, DARYL A. &/  
or VIRGINIA H.

P. O. BOX 1155, NORTH  
FORK, ID 83466

Source: HULL CREEK  
trib. to SALMON RIVER,  
NORTH FORK

Priority Date: 05/01/1913

Diversion Pt: SENE Sec  
29 T 25N R 21E SWNW  
Sec 28 T 25N R 21E

Use: IRRIGATION (1.00  
CFS)

In: SENE Sec 29 T 25N R  
21E SWNW Sec 28 T 25N  
R 21E FOR 40 ACRES

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JUN 11 2004

DEPARTMENT OF  
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split                               | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------------------------------------|----------------------|-----------------------------|-------|
|                      | 75-4368                     | <input checked="" type="checkbox"/> |                      |                             |       |
|                      |                             |                                     |                      |                             |       |
|                      |                             |                                     |                      |                             |       |
|                      |                             |                                     |                      |                             |       |
|                      |                             |                                     |                      |                             |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former  
Owner/Claimant(s)

DARYL A. Becker  
PO Box 50130 IDAHO FALLS ID 83405

4. New Owner/Claimant(s)

Stephen F. Yea Kelly & Jost  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

3509 Teal Sunset Street

City, State and ZIP Code

Los Vegas NV 89125

New Telephone Number

800 702-252-5320

5. Date you acquired the property

10-30-2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in Item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>75-4368</u>                                                             |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>1.225 cfs</u>                                                           | <u>9.0 ac.</u>                                               |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other                                                                                                                   | _____                                                                      | _____                                                        |
| Total                                                                                                                   | <u>1.225 cfs</u>                                                           |                                                              |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other                                                                                                                   | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      |                                                              |

7. Signature of New Owner(s) or Claimant(s): *Stacy J. Jones*  
(include title if applicable) *Stacy J. Jones*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AI Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 16, 2004

STEPHEN AND KELLY JOST  
3309 TEAL SUNSET ST  
LAS VEGAS NV 89125

RE: Snake River Basin Adjudication (SRBA)  
**Notice of Claim to a Water Right #75-14160**

Dear Claimants:

As a result of buying a portion of the property and water right, the Identification Number to your water right has been changed from #75-4368 to 75-14160. Please use the new number in future inquiries or correspondence you may have with our Department.

Enclosed is a copy of this water right claim. Please retain this copy for your file.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim. Please call me at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region  
Enclosure:

Copy of Notice of Claim Referenced Above

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 75-14160  
Date Received: 6/16/2004  
Receipt No:  
Received By:

COPY FOR YOUR FILE

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STEPHEN F JOST Phone: (702)256-5320

3309 TEAL SUNSET ST  
LAS VEGAS NV USA 89125

KELLY S JOST Phone: (702)256-5320

3309 TEAL SUNSET ST  
LAS VEGAS NV USA 89125

2. Date of Priority: 05/01/1913

3. Source: HULL CREEK Trib. to: SALMON RIVER NORTH FORK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 25N      | 21E   | 29      | SE NE                 | LEMHI  |      |

5. Description of diverting works:

CANVAS DAMS PLACED IN HULL CREEK AND ADJACENT LAND IS FLOODED

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 0.225  |            |

7. Total Quantity Appropriated is:  
0.225 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 25N      | 21E   | 28      | SW         | NW  | IRRIGATION    | 9     |
|          |       |         |            |     | Section Acres | 9     |
|          |       |         |            |     | Total Acres   | 9     |

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

| <u>Owner Type</u> | <u>Name and Address</u>   |
|-------------------|---------------------------|
| Current Owner     | KELLY S JOST              |
| Current Owner     | STEPHEN F JOST            |
|                   | 3309 TEAL SUNSET ST       |
|                   | LAS VEGAS, NV 89125       |
|                   | (702)256-5320             |
| Original Owner    | DARYL A BECKER            |
| Original Owner    | VIRGINIA H BECKER         |
|                   | C/O HOLDEN KIDWELL HAHN & |
|                   | PO BOX 50130              |
|                   | IDAHO FALLS, ID 83405     |
|                   | (208)523-0620             |

Priority Date: 05/01/1913

Basis: Beneficial Use

Status: Active

| <u>Source</u> | <u>Tributary</u>  |
|---------------|-------------------|
| HULL CREEK    | NORTH FORK SALMON |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|------------------|---------------|
| IRRIGATION            | 04/01       | 11/01     | 0.225 CFS        |               |
| Total Diversion       |             |           | 0.225 CFS        |               |

Location of Point(s) of Diversion:

|             |      |         |              |           |              |
|-------------|------|---------|--------------|-----------|--------------|
| HULL CRREEK | SENE | Sec. 29 | Township 25N | Range 21E | LEMHI County |
|-------------|------|---------|--------------|-----------|--------------|

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 25N             | 21E          | 28             |            | SWNW         | 9            |            |              |              |            |              |              |            |              |              |

Total Acres: 9

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: