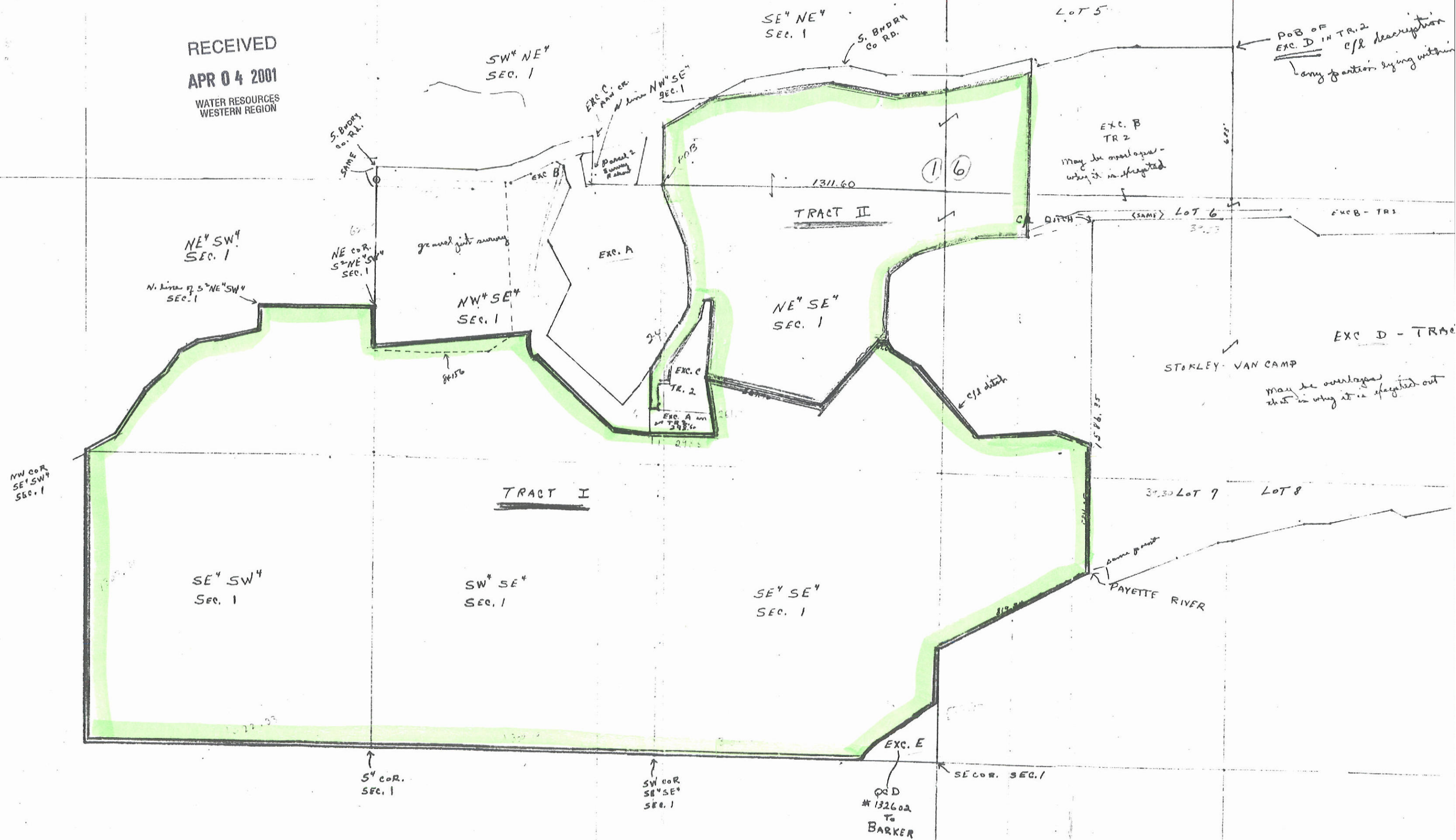


WATER RESOURCES
WESTERN REGION



T06N R02W
T06N R01W

Idaho Department of Water Resources

Claims: 65-01390
Prepared by:
RON HOWERTON
Modified: 4-4-01

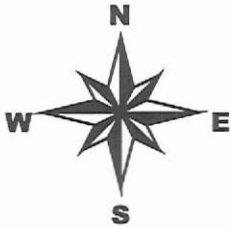
 Place of use

 POD

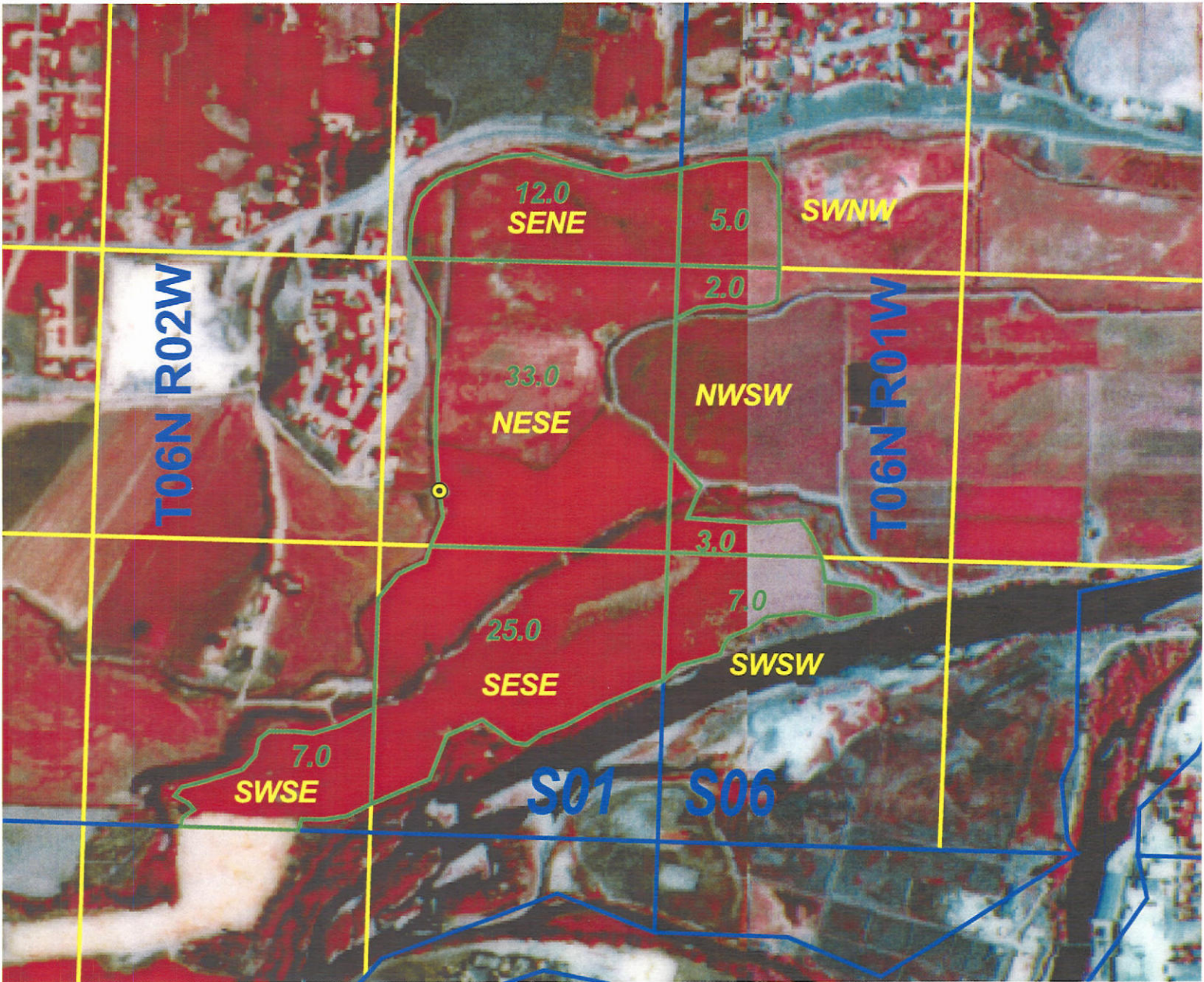
 SECTION

 1/4 1/4

94.0 Acres



1987 NAPP

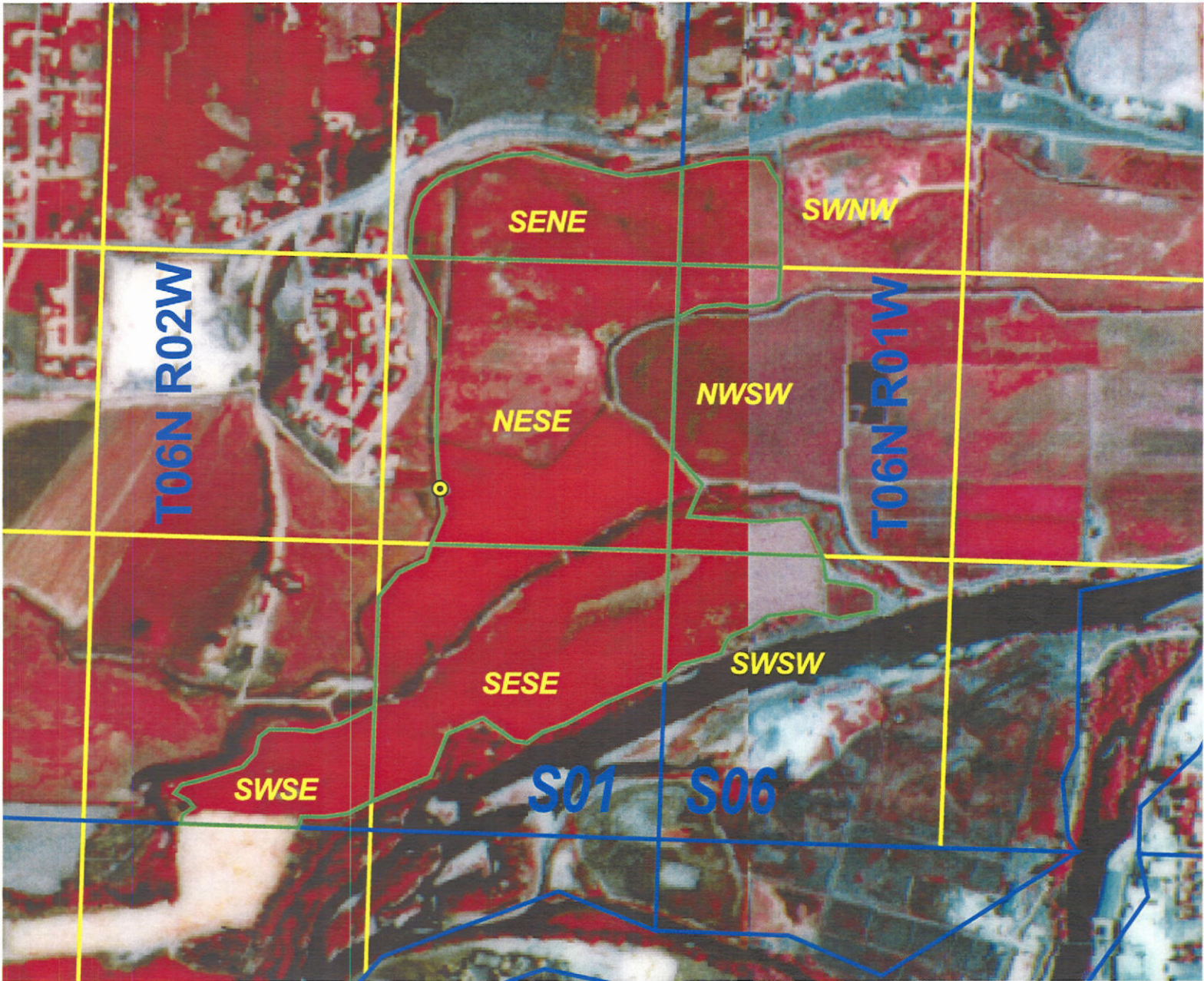
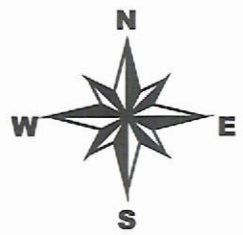


T06N R02W
T06N R01W

Idaho Department of Water Resources

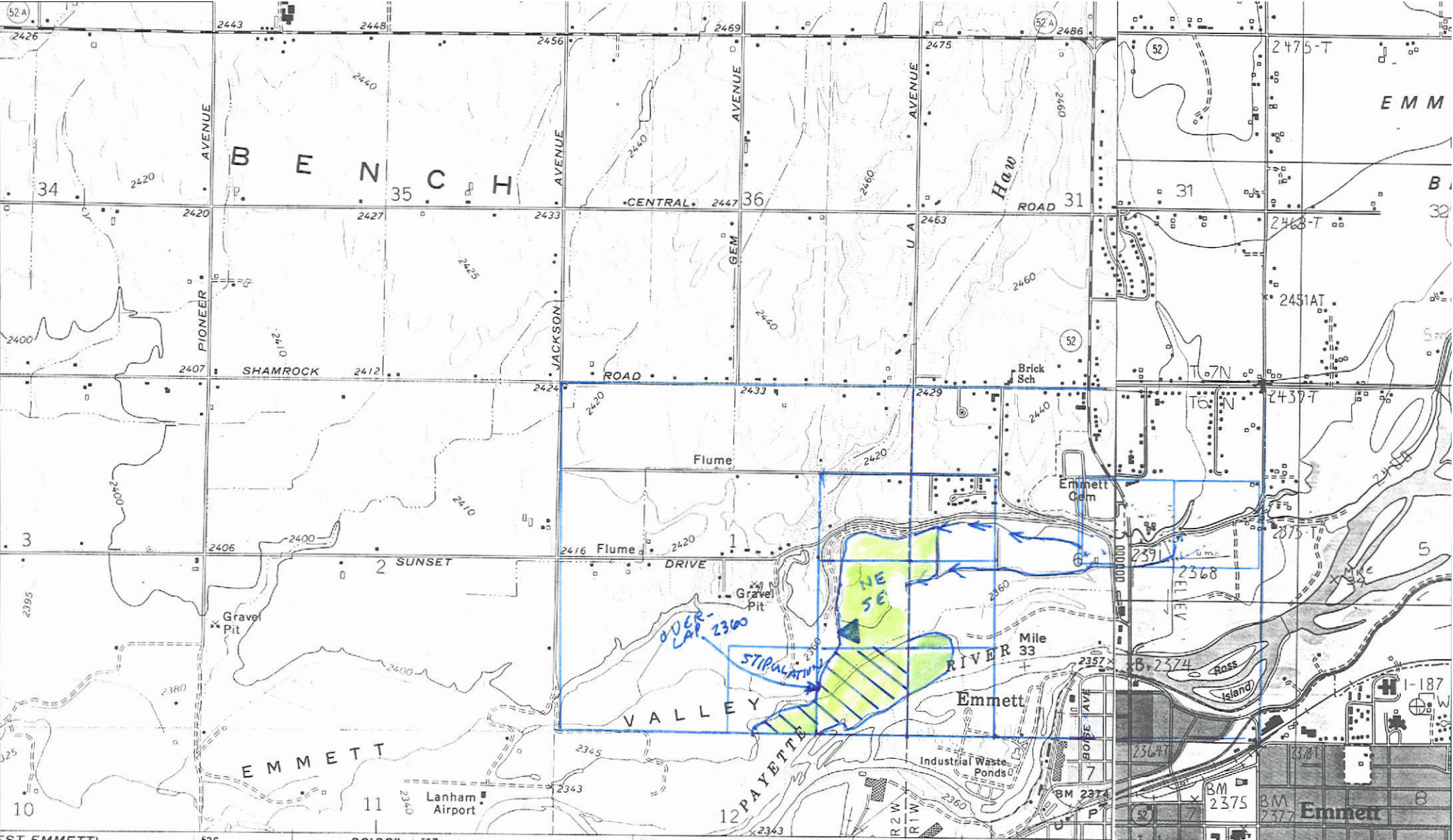
Claims: 65-01390
Prepared by:
RON HOWERTON
Modified: 4-4-01

-  Place of use
-  POD
-  SECTION
-  1/4 1/4



1987 NAPP





ST EMMETT
1:24000
INTERVAL 20 FEET
CONTIGUOUS 5-FOOT CONTOURS
MEAN SEA LEVEL

0 1000 2000 3000 4000 5000 6000 7000 FEET
0 1 KILOMETER

SAME PID OVERLAPS:
65-1390 & 2360 = 501 NESE

W6
1971 TOPO
T6N R2W



QUADRANGLE LOCATION

INTERIOR—GEOLOGICAL SURVEY, WASHINGTON, D.C.—1973

ROAD CLASSIFICATION

- Primary highway, hard surface
- Secondary highway, hard surface
- Light-duty road, hard or improved surface
- Unimproved road
- Interstate Route
- U. S. Route
- State Route

PID'S T6N R2W 501 NESE

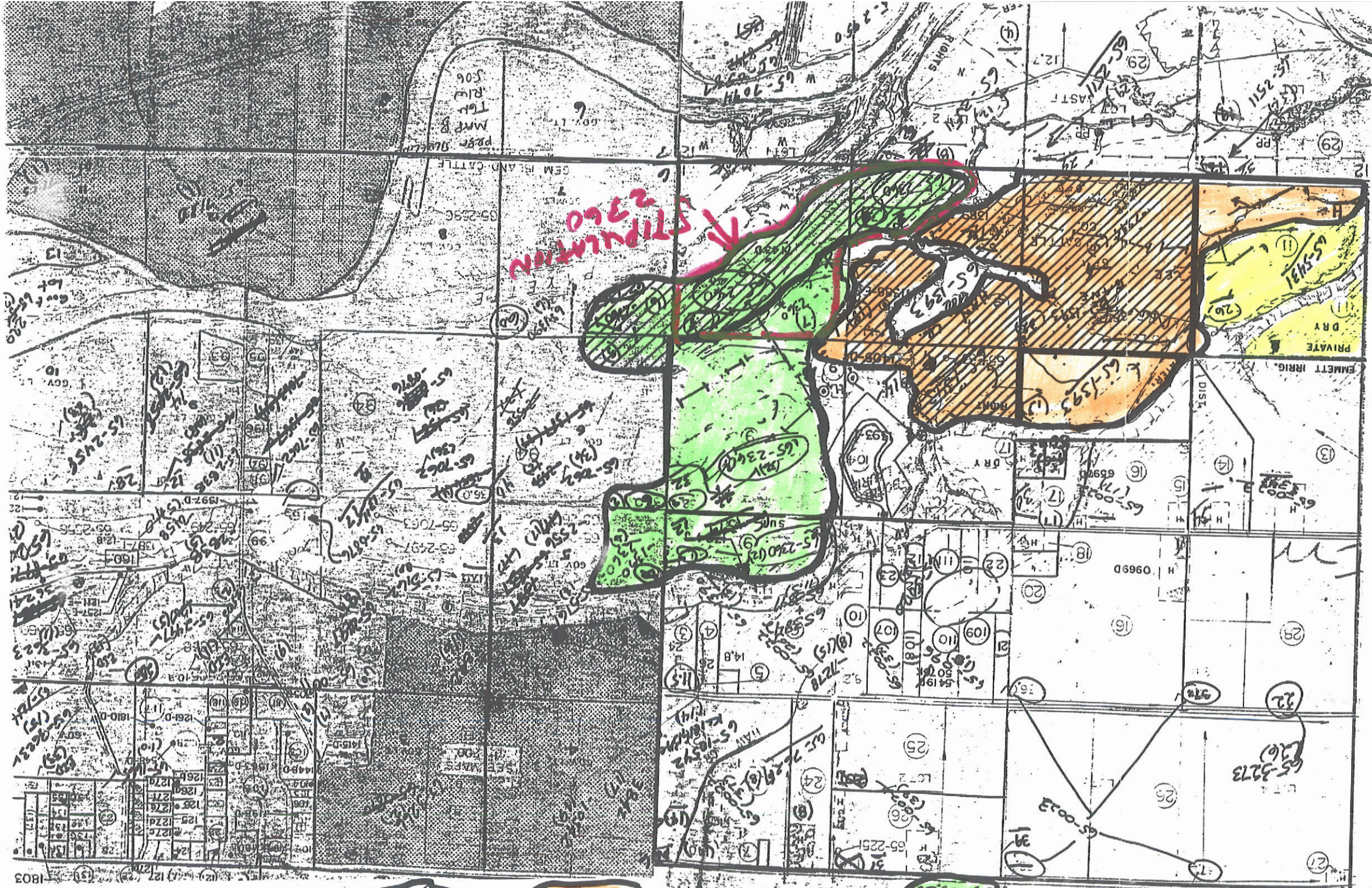
NORTHWEST EMMETT, IDAHO

N4352.5 W11622.7

PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
CONTROL BY
COMPILED FROM AERIAL PHOTOGRAPHS TAKEN
FIELD CHECKED 1981
MAP EDITED
PROJECTION
GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR
10,000-FOOT STATE GRID TICKS
UTM GRID DECLINATION

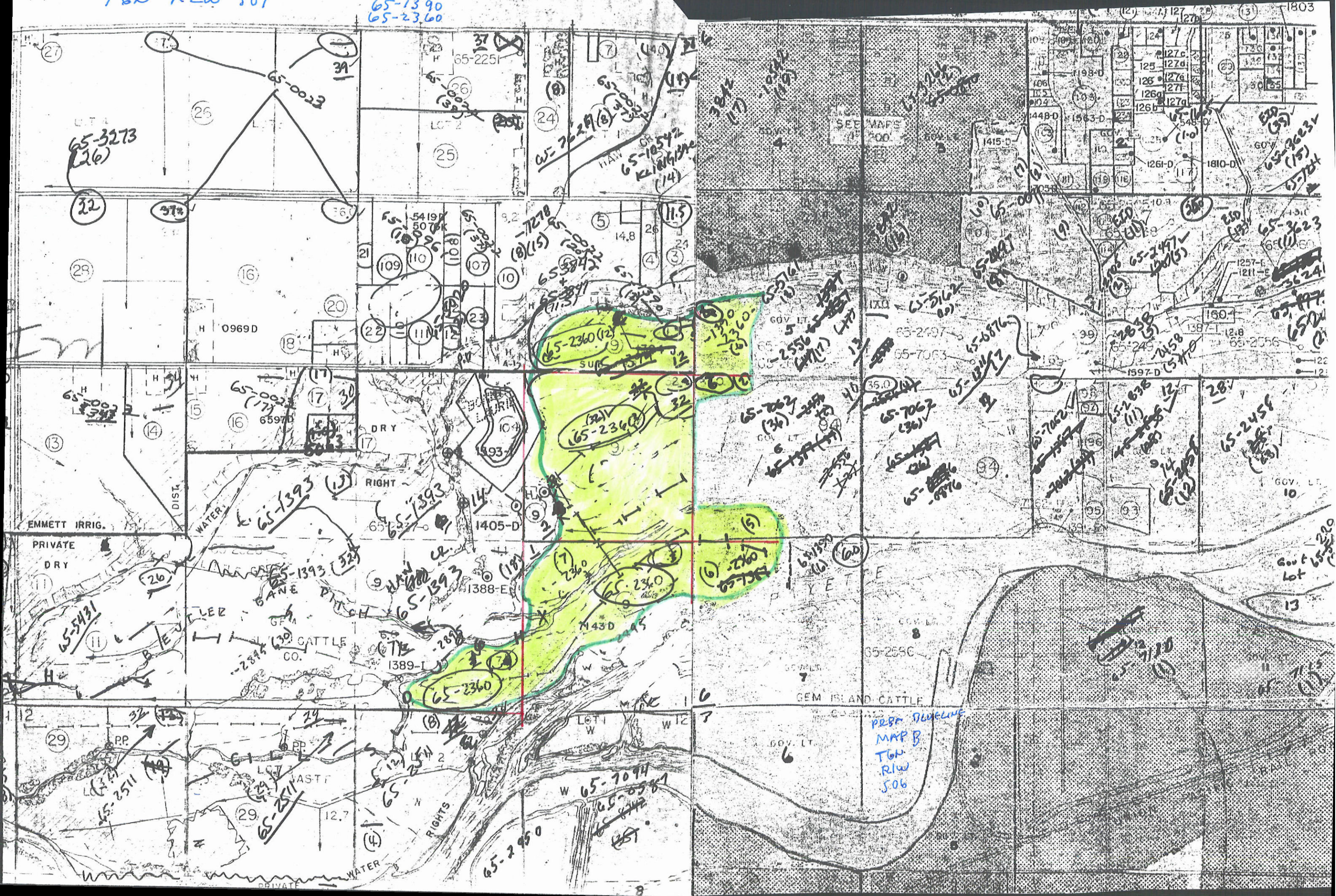


TKA BLUELINE MAP A
 T6u R2lu 501
 Hau Creek
 65-1393
 65-2895
 Gile Slough & Payette River overlaps

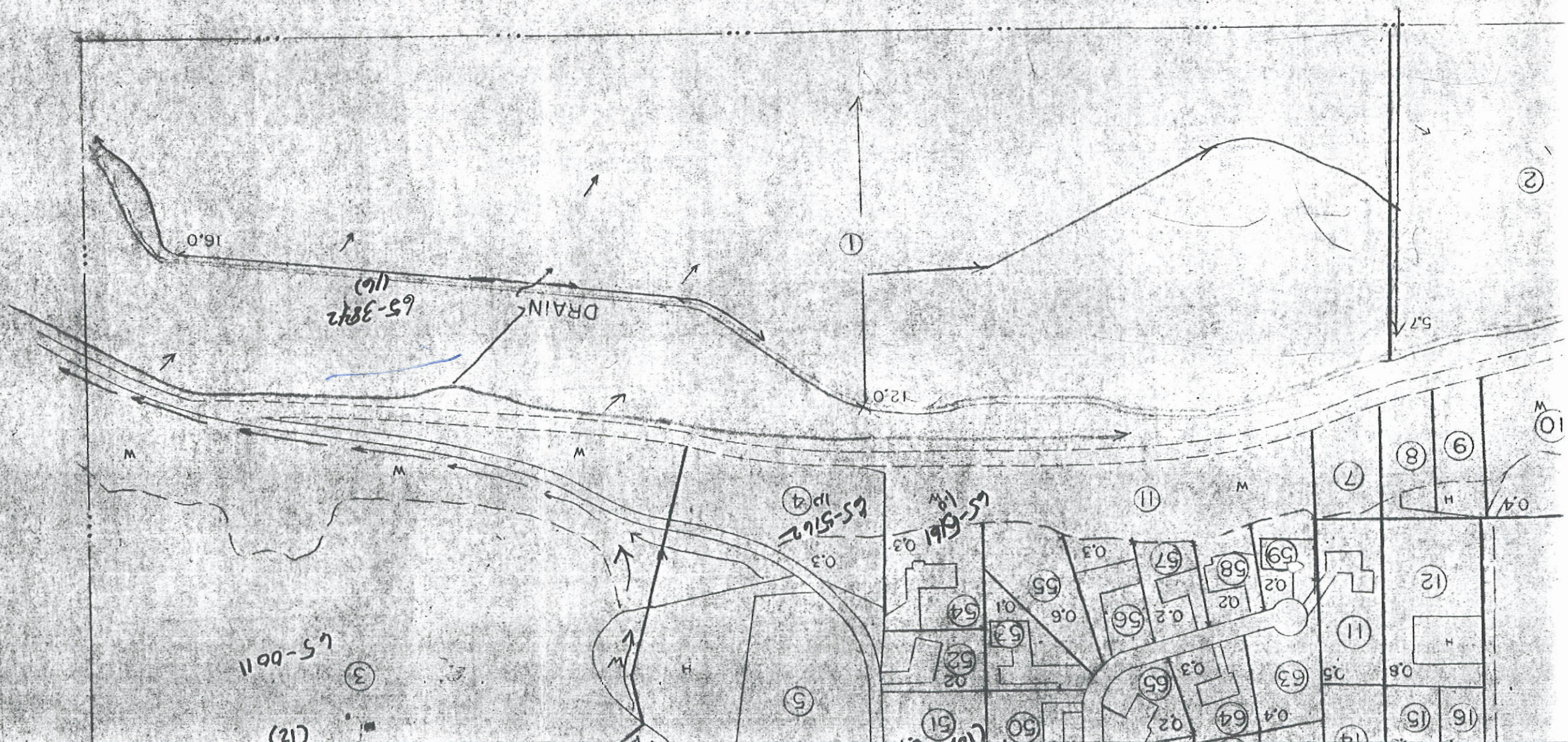


PRBA BLUELINE MAP A
T6W R2W S01

- POW MAP -
65-1390
65-2360

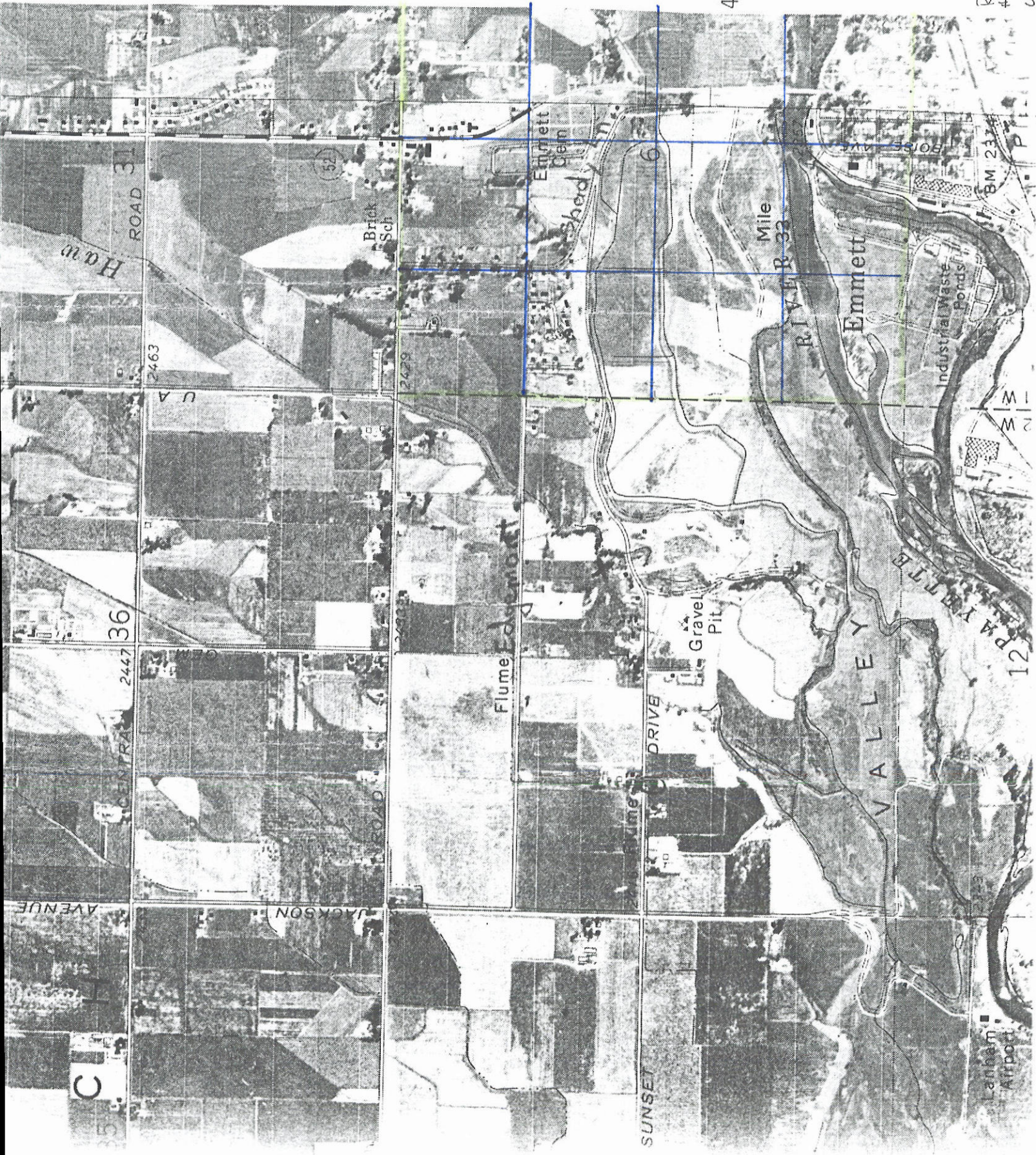


NW 1/4 SEC 6



T 6
0

DEPT. M.
DIV.
ORL
CHI



48 59000m. N.

Re Kaw → Heaven
Heaven → Wean
W-6 1974

Survey map showing sections 4 through 10, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. The map includes section numbers, acreage values, and labels for 'Sec. 6', 'Sec. 5', 'PAYETTE RIVER', and 'EMMETT'. A north arrow is present in the bottom right corner.

State of Idaho

License and Certificate of Water Right

Water License No. 17000

Amount 1.78 sec. ft.

Water District No.

Priority November 10, 1929

THIS IS TO CERTIFY that The Boise Fayette Lumber Company of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 26, 1929; that Permit No. 17000 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.5 second feet, was issued thereunder on August 21, 1931, showing that said works were completed on the 11th day of August, 1931; and that on the 16th day of November, 1932,

The Boise Fayette Lumber Company

of Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of an unnamed stream, a tributary of Fayette River, for the purpose of irrigation and domestic use, under Use Permit No. 17000 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3717, on the 23rd day of January, 1933;

The right hereby confirmed dates from November 10, 1929;

The Point of Diversion is located in the SE 1/4, NE 1/4, Sec. 6, Twp. 6 N., R. 1 E., B. M. Con. County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.78 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	1 N.	6	SW 1/4	19.3	15
"	"	"	NE SW 1/4	40.0	40
"	"	"	NW SW 1/4	39.5	30
"	"	"	SE SW 1/4	14.0	14
6 N.	2 N.	1	SE NE 1/4	14.0	14
"	"	"	NE NE 1/4	10.0	10

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as permitted by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, at Boise, Idaho, this 22nd day of January, 1933.

B. J. FARRIS
Commissioner of Reclamation

(SEAL)

65-02360 810 Field Report
ALL IN SECTION 1, T. 6 N., R. 2 W. 3. N.

SE₁NE₂, NE₁SE₂, SE₁SS₂, ALL in Section 1, T. 6 N., R. 2 W. 3. N.

Submit map on attached plat, showing location and details of above description.

What large stream would the water here appropriated finally reach?

Remarks

Water is abundant throughout the original
formation. It is considerable area of land in this
area. The water is good and is at present
being used as a farm pond.

170230

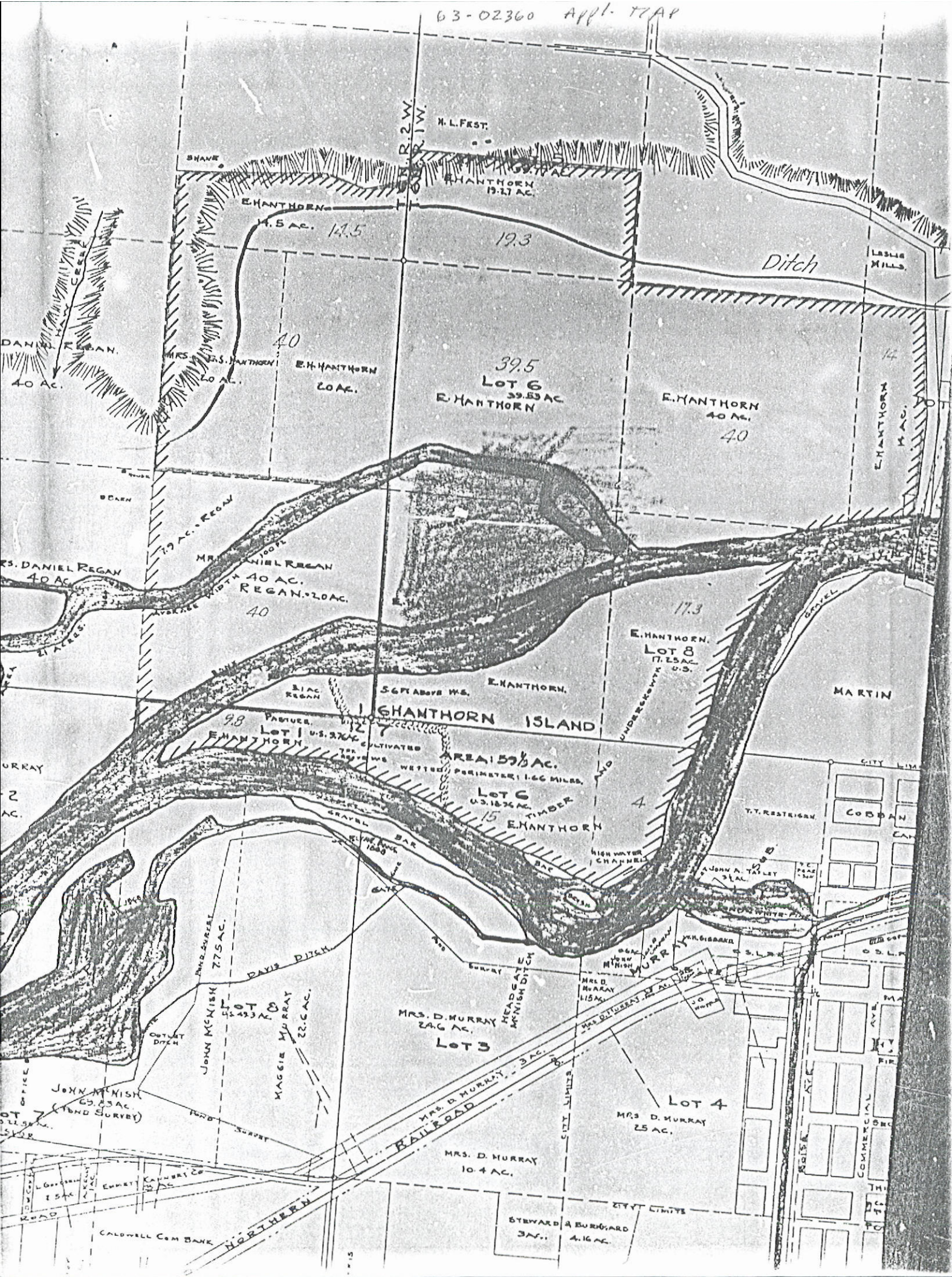
This examination was made on the

21st

day of

Nov

1922



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 65-1390
Date Received: 2/2/90
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JOHN H KIENITZ Phone: (208) 365-2753

3512 SUNSET DR
EMMETT ID USA 83617

KARON S KIENITZ Phone: (208) 365-2753

3512 SUNSET DR
EMMETT ID USA 83617

2. Date of Priority: 04/01/1950

3. Source: WASTEWATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	02W	1	NE SE	GEM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.4	

7. Total Quantity Appropriated is:
0.4 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
----------	-------	---------	----------------	-----	-------

06N	01W	6	SW	NW	5	IRRIGATION	6
			SW	SW	7	IRRIGATION	6
			NW	SW	6	IRRIGATION	7
						Section Acres	19
06N	02W	1	SE	NE		IRRIGATION	12
			NE	SE		IRRIGATION	32
			SW	SE		IRRIGATION	7
			SE	SE		IRRIGATION	24
						Section Acres	75
						Total Acres	94

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2360 & 65-2895 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.
OWNERSHIP CHANGED BY RDH 4-5-01.

15. Basis of Claim: Decreed

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
of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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, 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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65- 1393	X	MINUS SWSW TRACT 501, T6N R2W (STANDLEY)			
65- 1390	NA				
65- 2360	NA				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. NA
- 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) are 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) CHARLES REKOW
4. New Owner/Claimant(s) JOHN H. KIENITZ KARON S. KIENITZ
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 3512 SUNSET DR
- City, State and ZIP Code EMMETT ID 83617
- New Telephone Number 208) 365-2753
5. Date you acquired the property 1980

RECEIVED

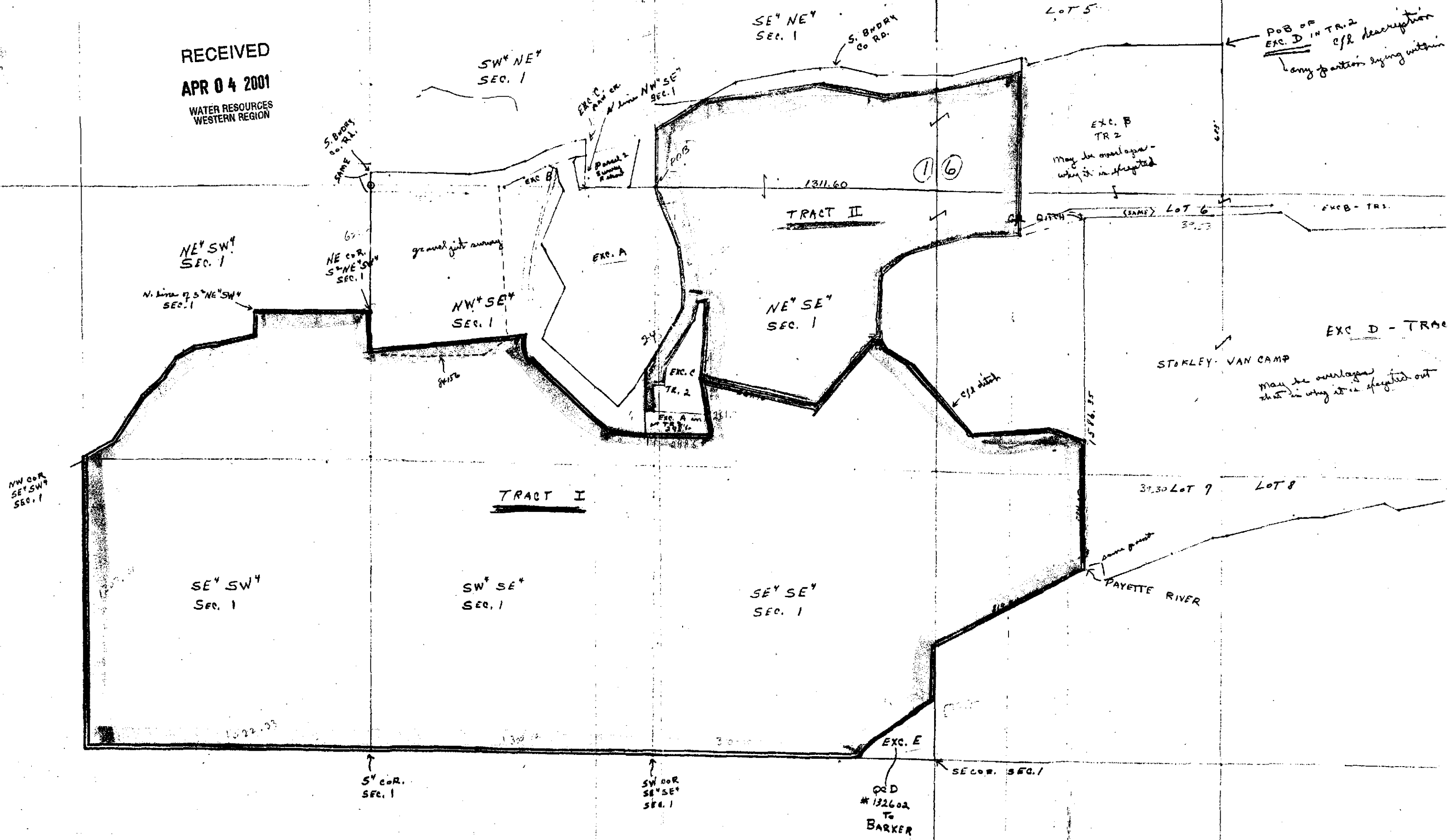
APR 04 2001

JAN 1999

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGION



CHECK PAYABLE TO:
COUNTY TAX COLLECTOR
JYN FRASIER
EAST MAIN STREET
TT, IDAHO 83617
1ST HALF DUE

2000 TAX BILL/RECEIPT

PARCEL NUMBER
RP00219700 A
7.925

BILL# 4410 CODE AREA 2-00 L

45.98	TAX	45.98	TAX	91.96	TOT MV	7.925
	LATE		LATE			
	INT		INT			
	COST		COST			
	TOT		TOT		TOT ACS	14.000

REKOW CHARLES L ST UX
% KIENITZ JOHN H ET UX
3512 SUNSET DR
EMMETT ID 33617

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.004380809	34.72
SCHODL #221	.003708763	29.38
SCH BOND DEBT	.002427984	19.24
CNTY FIRE #1	.000505332	4.00
MOSQUITO	.000582857	4.62
AMOUNT DUE	.011605945	91.96

2695 02 06 3 00 00 006
LCT 6 & 7 S OF DD.
SEC 6 6N 1W

IMPORTANT
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

365-3272 FOR QUESTIONS REGARDING TAX BILL
RC THIS BILL TO YOUR LENDER IF NECESSARY

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

NIETZ, JOHN H ET UX

2000
4410

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

% KIENITZ, JOHN H ET UX

2000
4410

2ND HALF

AMOUNT DUE 45.98

CUNTY
19700 A
00

LATE
INT
COST
TOT

NT IF NOT PAID ON OR BEFORE

JUNE 20, 2001

PAID
BY

CHECK #
CASH

1ST HALF FULL

AMOUNT DUE 45.98 91.96

GEM COUNTY
RP00219700 A
2-00

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DECEMBER 20, 2000

DATE PAID
PAID BY

CHECK #
CASH

1500

TXNT 1-99

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGION

CHECK PAYABLE TO:
COUNTY TAX COLLECTOR
LYN FRASIER
EAST MAIN STREET
TT. IDAHO 83617
1ST HALF DUE

2000 TAX BILL/RECEIPT
BILL# 4412 CODE AREA 2-00 L
PARCEL NUMBER
RP00219900 A
7,380

42.81	TAX	42.81	TAX	85.62	TOT MV	7,380
	LATE		LATE			
	INT		INT			
	COST		COST			
	TOT		TOT		TOT ACS	10.000

REKOW CHARLES L ET UX
% KIENITZ JOHN H ET UX
3512 SUNSET DR
EMMETT ID 83617

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.004380809	32.32
SCHOOL #221	.003708763	27.36
SCH BOND DEBT	.002427984	17.92
CNTY FIRE #1	.000505532	3.72
MOSQUITO	.000582357	4.30
AMOUNT DUE	.011605945	85.62

2300 02 04 0 08 05 003
TAX 153.
SEC 6 6N 1W

IMPORTANT
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FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

ENITZ, JOHN H ET UX

2000
4412

% KIENITZ, JOHN H ET UX

2000
4412

2ND HALF

AMOUNT DUE 42.81

COUNTY
219900 A
-00

LATE
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COST
TOT

SENT IF NOT PAID ON OR BEFORE
PAID
BY

JUNE 20, 2001
CHECK #
CASH

1ST HALF

FULL

AMOUNT DUE 42.81

85.62

GEM COUNTY
RP00219900 A
2-00

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY

DECEMBER 20, 2000
CHECK # 1500
CASH

TXNT 1-98

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGION

CHECK PAYABLE TO:
COUNTY TAX COLLECTOR
LYN FRASIER
EAST MAIN STREET
TT, IDAHO 83617
1ST HALF DUE
565.93

2000 TAX BILL/RECEIPT
BILL# 5739 CODE AREA 2-00

PARCEL NUMBER
RP00311704 A
93.875
3.650

2ND HALF DUE
TAX 565.93
LATE
INT
COST
TOT

FULL DUE
TAX 1,131.86
LATE
INT
COST
TOT

TOT MV 97.525
TOT ACS 152.550

REKOW CHARLES L ET UX
% KIENITZ JOHN H ET UX
3512 SUNSET DR
EMMETT ID 83617

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.004390809	427.24
SCHOOL #221	.003708763	361.70
SCH BOND DEBT	.002427984	236.78
CNTY FIRE #1	.000505532	49.30
MOSQUITO	.000582857	56.84
AMOUNT DUE	.011605945	1,131.86

S1/2 NE SW LESS T 54, SE SE
N OF RIVER, NE SE LESS T 47.51
152,153, SE SW, SW SE,
NW SE LESS T 47,72.87,
SEC 1 6N 2W

IMPORTANT
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AND THIS BILL TO YOUR LENDER IF NECESSARY

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
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ENITZ, JOHN H ET UX

2000
5739

2ND HALF

AMOUNT DUE 565.93

COUNTY
311704 A
-00

LATE
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COST
TOT

IF NOT PAID ON OR BEFORE
PAID
BY

JUNE 20, 2001
CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

% KIENITZ, JOHN H ET UX

2000
5739

1ST HALF

FULL

AMOUNT DUE 565.93 1,131.86

GEM COUNTY
RP00311704 A
2-00

LATE
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COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY

DECEMBER 20, 2000
CHECK # 1500
CASH

TXNT 1-89

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGION

E CHECK PAYABLE TO:
COUNTY TAX COLLECTOR
ILYN FRASIER
EAST MAIN STREET
EMMETT, IDAHO 83617

2000 TAX BILL/RECEIPT

PARCEL NUMBER
RP00311500 A
22,135

BILL# 5735 CODE AREA 2-00 L

1ST HALF DUE
128.43

2ND HALF DUE
128.43

TAX
LATE
INT
COST
TOT

FULL DUE
256.86
TAX
LATE
INT
COST
TOT

TOT MV 22,135

TOT ACS 35.040

REKOW CHARLES L ET UX
% KIENITZ JOHN H ET UX
3512 SUNSET DR
EMMETT ID 83617

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.004380809	96.96
SCHOOL #221	.003708763	82.08
SCH BOND DEBT	.002427984	53.74
CNTY FIRE #1	.000505532	11.18
MOSQUITO	.000582857	12.90
AMOUNT DUE	.011605945	256.86

2300 02 02 0 08 05 009
TAX 153.
SEC 1 6N 2W

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365-3272 FOR QUESTIONS REGARDING TAX BILL
AND THIS BILL TO YOUR LENDER IF NECESSARY

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

KIENITZ, JOHN H ET UX

2000
5735

% KIENITZ, JOHN H ET UX

2000
5735

2ND HALF

AMOUNT DUE 128.43

COUNTY
311500 A
-00

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY

JUNE 20, 2001
CHECK #
CASH

1ST HALF

FULL

AMOUNT DUE 128.43 256.86

GEM COUNTY
RP00311500 A
2-00

LATE
INT
COST
TOT

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY

DECEMBER 20, 2000
CHECK # 1500
CASH

TXNT 1-99

RECEIVED
APR 04 2001
WATER RESOURCES
WESTERN REGION

RECEIVED
APR 04 2001
WATER RESOURCES
WESTERN REGION

LEGAL DESCRIPTION

TRACT I

A tract of land in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho, in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho, in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho, in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho, the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho, in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho. The SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho, in the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho, in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho, in Lot 6, Section 6, Township 6 North, Range 1 West, B.M., Gem County, Idaho, and Lot 7, Section 6, Township 6 North, Range 1 West, B.M., Gem County, Idaho, described as follows:

Commencing at the $\frac{1}{4}$ section corner common to Section 1, T. 6 N., R. 2 W., B.M., Gem County, Idaho, and Section 6, T. 6 N., R. 1 W., B.M., Gem County, Idaho; thence

North 89°49' West 1311.60 feet to the C.E. 1/16 corner of Section 1, T. 6 N., R. 2 W., B.M., Gem County, Idaho, the point of beginning; thence following the Easterly boundary of Bonnie Laura Subdivision on the following courses:

South 22°44'36" East, 280.90 feet;

South 6°11'12" East 211.82 feet;

South 0°50'30" West 83.90 feet;

South 27°55' West 77.12 feet;

South 31°43'42" West 245.00 feet to a point being common to Lots 15 and 16 of said subdivision; thence

South 0°26' East 281.57 feet; thence

East 298.50 feet to the center of a ditch; thence following the center of the ditch

North 9°48' West 261.77 feet; thence along a fence line

South 77°32' East 567.70 feet; thence along a fence line

North 41°00' East 387.50 feet; thence

North 89°14'22" East 41.60 feet; thence

South 35°00' East 62.60 feet to a point on a fence line; thence along the fence line

South 60°09' East 137.20 feet; thence along the fence line

South 41°21' East 410.40 feet to the center of a drainage ditch; thence following said center of ditch

North 85°04' East 357.30 feet; thence following said center of ditch

South 69°58' East 171.15 feet; thence leaving center of ditch and

(continued)

LEGAL DESCRIPTION CONTINUED

South 584.25 feet to a point on the highwater line of the Payette River; thence following the highwater line of the Payette River a general course of
 South $62^{\circ}46'$ West 819.74 feet to intersection of section line; thence
 South $0^{\circ}35'30''$ West 522.30 feet to the SE corner of Section 1 T. 6 N., R. 2 W., B.M., Gem County, Idaho; thence
 North $89^{\circ}33'40''$ West 1304.20 feet to the SW corner of the $SE\frac{1}{4}SE\frac{1}{4}$, section 1, T. 6 N., R. 2 W., B.M., Gem County, Idaho; thence
 North $89^{\circ}33'40''$ West 1309.19 feet to the $S\frac{1}{4}$ section corner of Section 1, T. 6 N., R. 2 W., B.M.; thence
 South $89^{\circ}44'$ West 1322.33 feet to the $1/16$ corner; thence
 North $0^{\circ}12'40''$ East 1307.14 feet to the NW corner of the $SE\frac{1}{4}SW\frac{1}{4}$ Section 1, T. 6 N., R. 2 W., B.M., Gem County, Idaho; thence
 North $0^{\circ}19'28''$ West 19.52 feet along the West line of the $NE\frac{1}{4}SW\frac{1}{4}$ of said Section 1; thence
 North $61^{\circ}52'35''$ East 141.65 feet; thence
 North $34^{\circ}32'40''$ East 249.24 feet; thence
 North $50^{\circ}07'30''$ East 120.84 feet; thence
 North $36^{\circ}49'00''$ East 115.36 feet; thence
 North $60^{\circ}35'50''$ East 96.74 feet; thence
 North $82^{\circ}50'30''$ East 96.22 feet; thence
 North $79^{\circ}59'20''$ East 173.38 feet; thence
 North $3^{\circ}38'20''$ East 111.14 feet to a point on the North line of the $S\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$ of said Section 1; thence
 South $89^{\circ}55'15''$ East along said North line 534.96 feet to the NE corner of said $S\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$; thence
 North $0^{\circ}16'$ East along the East line of the $N\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$ Section 1, T. 6 N., R. 2 W., B.M., Gem County, Idaho, 625.17 feet to a point on the South boundary of a County Road, said point lies South $0^{\circ}16'$ West 25.00 feet from the center $\frac{1}{4}$ section corner of Section 1, T. 6 N., R. 2 W., B.M., Gem County, Idaho; thence following the South boundary of the County Road on the following courses:
 South $89^{\circ}49'$ East 453.82 feet; thence along a curve left whose radius is 523.22 feet, central angle is $17^{\circ}47'$ and long chord is 161.74 feet bearing North $81^{\circ}17'30''$ East to a point on the mid-section line; thence following the same curve left whose radius is 523.22 feet, central angle is $11^{\circ}03'10''$ and long chord is 100.78 feet, bearing North $66^{\circ}52'25''$ East; thence
 North $61^{\circ}20'50''$ East 106.56 feet; thence along a curve right whose radius is 452.46 feet, central angle is $18^{\circ}27'10''$ and long chord is 145.09 feet bearing North $70^{\circ}34'25''$ East; thence
 North $79^{\circ}48'$ East 46.73 feet; thence leaving said South boundary of the County Road and
 South $0^{\circ}23'15''$ West 148.39 feet more or less to the North line of the $NW\frac{1}{4}SE\frac{1}{4}$ Section 1, T. 6 N., R. 2 W., B.M., Gem County, Idaho; thence

LEGAL DESCRIPTION CONTINUED

South 89°49' East along said North line 330.00 feet to the point of beginning.

EXCEPTING THEREFROM the following described tracts of land labeled A, B, C and D & E & F.

- A) EXCEPT any portion lying within Bonnie Laura Subdivision, according to the official plat thereof filed in Book 1 of Plats at Page 65, records of Gem County, Idaho.

- B) A tract of land in Section 1, T. 6 N., R. 2 W., B.M., Gem County, Idaho, more particularly described as follows:

Beginning at the center $\frac{1}{4}$ corner of said Section 1; thence South 89°49' East, 613.59 feet on the mid-section line of said Section 1 to the real point of beginning, said point being on a circular curve to the left; thence on an arc of said curve a distance of 100.93 feet, said arc having a central angle of 11°03'10", a radius of 523.22 feet and chord which bears North 66°52'25" East, 100.78 feet to a point of tangency; thence North 61°20'50" East, 106.56 feet to a point of curvature; thence on a circular curve to the right having a central angle of 18°27'10" and a radius of 452.46 feet and whose long chord bears North 70°34'25" East, 145.09 feet to a point of tangency; thence North 79°48' East, 46.73 feet to a point; thence South 0°23'15" West, 148.39 feet to a point on the mid-section line of said Section 1; thence North 89°49' West, 368.01 feet to the real point of beginning.

- C) A tract of land in Section 1, T. 6 N., R. 2 W., B.M., Gem County, Idaho, lying West of the meander line of Haw Creek, North of and adjacent to Bonnie Laura Subdivision, East of and adjacent to road right-of-ways entering Bonnie Laura Subdivision, and South of County Road.

- D) A tract of land in Section 6, Township 6 North, Range 1 West, B.M., Gem County, Idaho, said land boundaries being in Government Lots 6, 7, 8 and 9 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 6, and more particularly described as follows:

Commencing at the Center $\frac{1}{4}$ section corner of Section 6, Township 6 North, Range 1 West, B.M., Gem County, Idaho; thence South 89°47' East 406.42 feet to the center line of a County Road; thence South 4°51'50" East along said centerline 41.25 feet to the real point of beginning; thence following the centerline of the County Road

LEGAL DESCRIPTION CONTINUED

South 4°51'50" East 796.88 feet; thence
 North 83°40' West 25.49 feet; thence
 South 4°51'50" East 30.58 feet; thence
 South 5°26'50" West 247.70 feet; thence
 North 84°33'32" West 185.15 feet; thence
 South 66°25'50" West 35.05 feet; thence
 South 1°06' West 131.87 feet to the High Water Line of the
 Payette River; thence following said High Water Line
 along the right bank the following courses:
 South 81°03' West 144.51 feet;
 South 75°41' West 307.86 feet;
 South 79°01' West 309.00 feet;
 North 69°46' West 72.58 feet;
 South 77°31' West 286.20 feet;
 South 89°04' West 120.84 feet;
 South 77°21' West 340.55 feet;
 South 83°03' West 67.46 feet;
 South 69°28' West 539.32 feet; thence leaving said High Water
 Line crossing a field,
 North 1586.35 feet to the center line of a Drainage Ditch;
 thence following the center line of said Drainage Ditch
 the following courses:
 North 88°44' East 591.58 feet;
 North 88°16' East 307.05 feet;
 South 57°14' East 153.53 feet;
 North 87°20' East 859.42 feet;
 North 56°29' East 144.71 feet;
 North 66°46' East 60.30 feet;
 South 89°20' East 253.12 feet to the point of beginning.

ALSO EXCEPT roads and ditches and rights of way therefor.

- E) All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 6 North, Range 2 West, B.M., Gem County, Idaho, lying South of the Payette River on Gem Island.
- F) A portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 6 North, Range 1 West of the Boise Meridian and is more particularly described as follows:

COMMENCING at the Southwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence
 South 0°15'00" East, a distance of 25.00 feet to a point on the
 Southerly right-of-way boundary of Sunset Drive, which point
 is also the TRUE POINT OF BEGINNING; thence
 South 89°46'20" East (formerly South 89°49' East) along said Southerly
 right-of-way boundary and parallel with and 25.00 feet Southerly
 of the Northerly boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$; a distance of 436.26

LEGAL DESCRIPTION CONTINUED

feet (formerly 453.82 feet); thence
 Northeasterly along said Southerly right-of-way boundary, a
 distance of 325.67 feet along the arc of a curve to the
 left, having a radius of 599.45 feet, a central angle of
 31°07'40" and a long chord which bears North 74°39'50"
 East, a distance of 321.68 feet (formerly two (2) curves
 combined having a radius of 523.22, a central angle of
 28°31'22" and a long chord bearing North 75°55'19" East,
 a distance of 257.79 feet); thence
 North 59°06'00" East along said Southerly right-of-way boundary,
 a distance of 5.86 feet (formerly 61°20'50" East, a distance
 of 106.56 feet); thence continuing
 Northeasterly along said Southerly right-of-way boundary, a
 distance of 74.79 feet along the arc of a curve to the
 right, having a radius of 666.34 feet, a central angle of
 6°25'51" and a long chord which bears North 62°18'56" East,
 a distance of 74.75 feet; thence leaving said Southerly
 right-of-way boundary and traversing the Westerly boundary
 of Bonnie Laura Subdivision:
 Southeasterly, a distance of 44.37 feet along the arc of a curve
 to the right, having a radius of 24.92 feet, a central angle
 of 102°00'49" and a long chord which bears South 63°27'45"
 East, a distance of 38.74 feet (formerly, a distance of 45.13
 feet along the arc of a curve to the left, having a radius of
 24.92 feet, a central angle of 103°45'40" and a long chord
 bearing North 64°22'50" West, a distance of 39.21 feet);
 South 12°27'20" East, a distance of 64.91 feet (formerly North
 12°30" West, a distance of 66.41 feet);
 South 30°01'12" East (formerly North 30° West), a distance of
 49.86 feet;
 South 22°57'30" West (formerly North 22°58'42" East), a distance
 of 83.50 feet;
 South 22°33'30" West (formerly North 22°34'42" East), a distance
 of 175.73 feet;
 South 29°10'12" East (formerly North 29°09' West), a distance of
 228.24 feet;
 South 25°09'06" West (formerly North 25°10'18" East), a distance
 of 251.77 feet;
 South 49°14'42" East (formerly North 49°13'30" West), a distance
 of 469.32 feet;
 North 41°28'42" East (formerly South 41°29'54" West), a distance
 of 117.69 feet;
 North 31°43'42" East, a distance of 91.54 feet; thence leaving
 said Westerly boundary of Bonnie Laura Subdivision and running
 South 0°26'00" East, a distance of 281.57 feet; thence
 North 84°28'49" West, a distance of 167.36 feet; thence

(continued)

LEGAL DESCRIPTION CONTINUED

North 47°23'29" West, a distance of 481.60 feet; thence
South 71°32'24" West, a distance of 20.00 feet; thence
Northwesterly, a distance of 116.56 feet along the arc of a
curve to the right, having a radius of 627.47 feet, a
central angle of 10°38'35" and a long chord which bears
North 13°08'17" West, a distance of 116.39 feet; thence
South 83°57'50" West parallel with and 15.00 feet Northerly
of a concrete irrigation ditch, a distance of 437.98 feet;
thence
South 85°33'05" West parallel with and 15.00 feet Northerly
of said irrigation ditch, a distance of 281.22 feet to a
point on the West boundary of said NW¼SE¼; thence
North 0°15'00" East along said West boundary of the NW¼SE¼,
a distance of 709.78 feet to the TRUE POINT OF BEGINNING.

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: A65-01390
Date Received: 2-2-90
Receipt No: 89-9
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES L. REKOW
Address: 1029 LILAC DR.
EMMETT, ID

83617

Name: DELMA C. REKOW
Address: 1029 LILAC DR.
EMMETT, ID

83617

2. Date of Priority: APR 01, 1950

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	1	NE	SE			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-01390

Page 1

Date: 01/19/90

MICROFILMED
SEP 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	6	SW	NW	5	IRR	6.0
			NW	SW	6	IRR	7.0
			SW	SW	7	IRR	6.0
	Section Acres						19.0
	02W	1	SE	NE		IRR	12.0
			NE	SE		IRR	32.0
			SW	SE		IRR	7.0
			SE	SE		IRR	24.0
	Section Acres						75.0
Total Acres						94.0	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2360 & 65-2895 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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 X 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): Charles L. Rekow Date: 1-22-90

Debra C. Rekow Date: 1/22/90

State of Idaho)
County of) SS.

Subscribed and sworn (or affirmed) before me this 22 day

of January 19 90

Carole Stanley
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires 4-12-95



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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

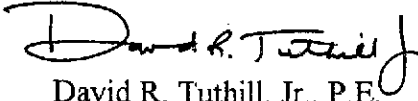
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-1390

NAME AND ADDRESS: JOHN H KIENITZ
KARON S KIENITZ
3512 SUNSET DR
EMMETT, ID 83617

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.4 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2360 & 65-2895
SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 04/01/1950

POINT OF DIVERSION: T06N R02W S1 NESE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.40 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>							
T06N R01W S6	LOT 5	SWNW	5	T06N R01W S6	LOT 6	NWSW	5
T06N R01W S6	LOT 7	SWSW	7	T06N R02W S1		SENE	12
T06N R02W S1		NESE	33	T06N R02W S1		SWSE	7
T06N R02W S1		SESE	25				

94 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 65-2360 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 94 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 65-2895 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 159 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-1390

DELMA C REKOW
1029 LILAC DR
EMMETT ID 83617

CHARLES L REKOW
1029 LILAC DR
EMMETT ID 83617

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

*CORRECT THE LOCATION OF POINT OF DIVERSION
& CHANGE OWNERSHIP, SEE MAP & TAX RECEIPTS -*

2. Describe the changes you wish to make in the proposed recommendation:

SEE ABOVE

3. Give a brief explanation as to why you disagree with these portions:

OWNERSHIP & LOCATION OF POD NEEDS UPDATED.

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-4-01

SIGNATURE: John H. Kienitz

Please print your name: _____

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

RECEIVED

APR 04 2001

**WATER RESOURCES
WESTERN REGION**

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s:

65-1390

65-2360

AGENT Row H

DATE 10-12-00

65-2895

65-1393A

KIENITZ

REKOW NEW SPLIT = 65-1393B NO OVERLAP

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
WASTEWATER REKOW/WFAR	1390	6N	2W	01				12									33		7	25		
		6N	1W	06						5			5	7								94
WASTEWATER	2360	6N	2W	01														7	24		31	
1390 2360 COMBINED TOTAL																						94

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
CELL 5 PAY R (KIENITZ)	2895	6N	2W	01													38		10	24	18	*
		6N	1W	06									3	7								100
1390				01				12									38	33	10	24	25	142
2360				06						5			5	7							17	159
2895																						

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL	TAX
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
HAW CR	1393	6N	2W	01									13	(8.5)	39	1	15	18	15	95			1994
REKOW																							505 KIENITZ
1393				01									13	(8.5)	39	1	15	24	18.5	119	-8.5 =	110.5	
2895				06									3	7							10	+29 =	120.5

SPLIT REKOW / PRESENT OWNER IS STANDLEY - (has not)

(FILED A CHANGE)

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

Row 2: Combined RMKS

1390 with 2360 TOTAL 122 ACRES = 94 ACRES

2895 with 1390 & 2360 = 159 ACRES

1393 with 2895 = 129 ACRES

1203A

120.5

• 1393 DOESN'T OVERLAP 1390
2360

* Stipulation Conflict
for OWNERSHIP

T06N R02W
T06N R01W

Idaho Department of Water Resources

Claims: 65-01390

Prepared by:

RON HOWERTON

Modified: 4-4-01

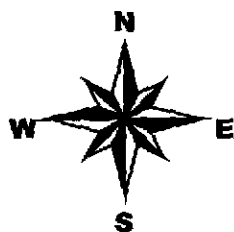
 Place of use

 POD

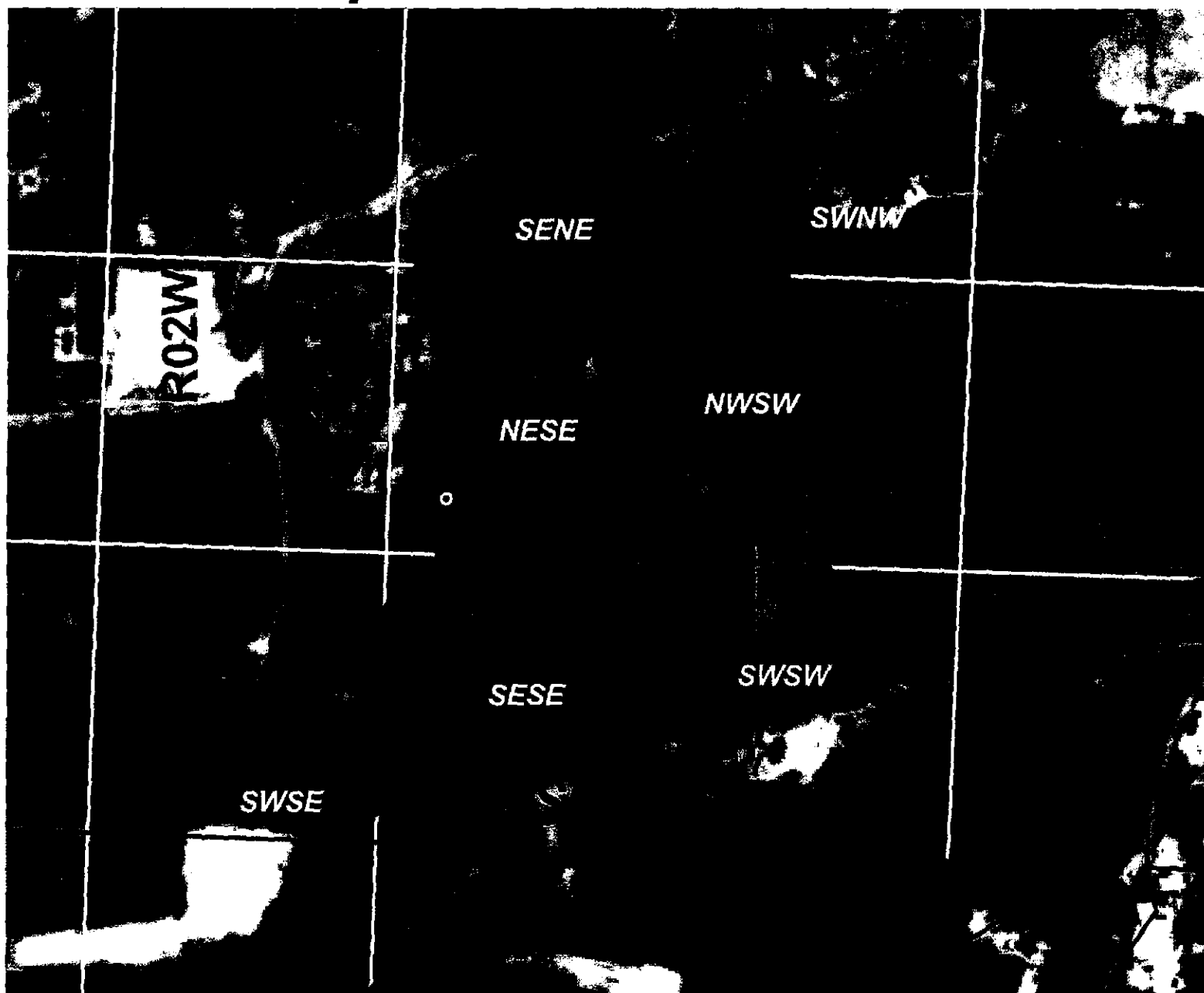
 SECTION

1/4 1/4

94.0 Acres



1987 NAPP



T06N R02W
T06N R01W

Idaho Department of Water Resources

Claims: 65-01390

Prepared by:

RON HOWERTON

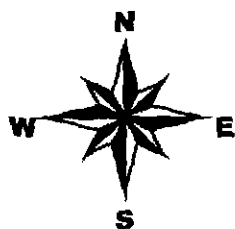
Modified: 4-4-01

 Place of use

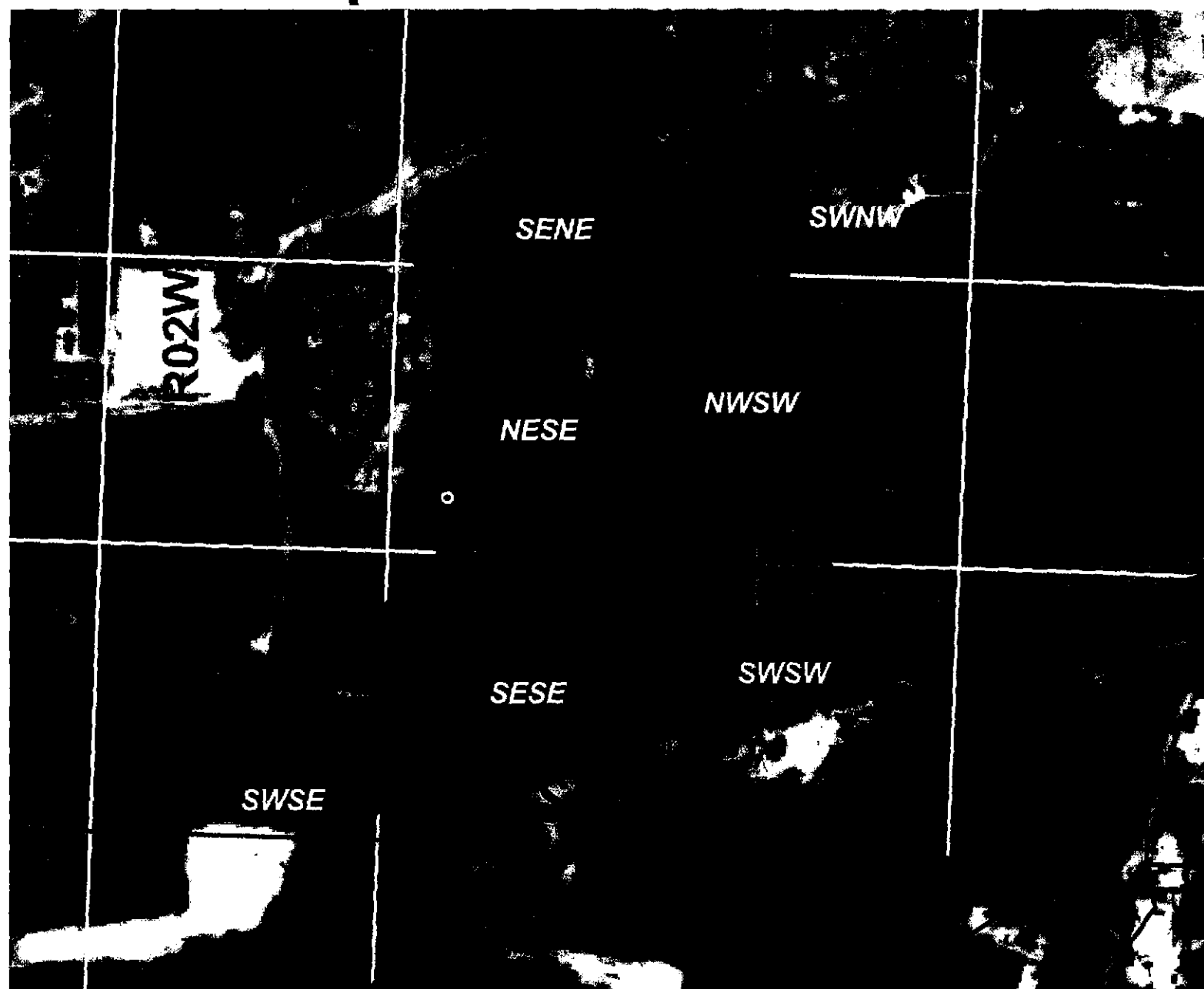
 POD

 SECTION

1/4 1/4



1987 NAPP



0 0.25 0.5 0.75 1 Mile



— AMENDED PER STIPULATION —

AJ5809NP
No. A65-01390

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/03/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	MICHAEL L WEAR	04/01/1950	IRRIGATION	03-15 11-15	0.400 CFS	
P	THERESA D WEAR 1009 SUNSET DR EMMETT ID 83617 (208) 365-5159					
C	CHARLES L REKOW					
C	DELMA C REKOW 1029 LILAC DR EMMETT ID 83617					
				TOTAL DIVERSION:	0.400 CFS	

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T06N R02W S01

NESE

SAME PID AS 2360

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06N	01W	6	:							05-085				06-07	07-06					19.0
06N	02W	1	:				12									33		07	25	75.0
																				94.0

POU County: GEM

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2360 & 65-2895 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.
~~WEARS ENTERED AS PRESENT OWNER MAY HAVE PURCHASED A PORTION OF THIS WATER RIGHT. SEE MAPS AND OTHER INFO IN FILE. FIELD EXAM MAY BE NECESSARY TO DETERMINE OWNERSHIP. MM 02/18/1998~~

GIS ACRES (R&H)

QNT E28 Rmk

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

POU1 Rmks: (E11)

94 ACRES with 2360-
159 ACRES with 2895-

218

* OWNERSHIP IN QUESTION
WEAR DIDN'T COME BACK
IN TO CLEARUP OWNERSHIP LAND DOESN'T
QUESTIONS. 1994 TAX INFO MATCH
SHOWS FLEWITZ IS OWNER LEGAL SEE PARCEL
OF MOST LAND. NOTICE OF PLOT IN FILE
ERRAND WILL CLEARUP OWNERSHIP
SEE MARIA'S MEMO ABOUT OWNERSHIP,

WR5809NP
No. 65-01390

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/11/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES L. REKOW	04/01/1950	IRRIGATION	03/15 11/15	0.400 CFS	
C	DELMA C. REKOW 1029 LILAC DR. EMMETT ID 83617			TOTAL DIVERSION:	0.400 CFS	

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T06N R02W S01

NESE

GEM County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE							
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06N	01W	6	:		:		:		:		:		:		:		:		:		:		:		:		19.0
06N	02W	1	:		:		12	:		:			:		:		06-07	07-06	:		32		07	24	:		75.0
TOTAL ACRES																								94.0			

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-01392 65-02360

Other Water Rights Listing Overlapping Place(s) of use:
65-01393 65-02360 65-02556 65-02895 65-05161 65-07062 65-13775

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2360 & 65-2895 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 04/01/1950
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

LISTING OF WATER RIGHTS

PAGE 4

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	BASIS OF RIGHT
SOURCE: WASTEWATER		TRIBUTARY: PAYETTE RIVER				
65-2497	Goslin, T. Edwin Goslin, Ida M. 944 Lower Bluff Rd. Emmett, Idaho 83617 Point of Diversion: T6N R1W Sec. 6 Place of Use: T6N R1W Sec. 6 7 Acres Total	8-19-1948 SENE SWNE(1)	Irrigation SENE(6)	3-15 11-15	.15 CFS	License
65-1390	Rekow, Charles L. Rekow, Delma C. 1029 Lilac Dr. Emmett, Idaho 83617 Point of Diversion: T6N R2W Sec. 1 Place of Use: T6N R1W Sec. 6 T6N R2W Sec. 1 94 Acres Total Other rights: 65-1387A, 65-2895, 65-3842B, 65-2360 Remarks: This right when combined with rights 65-1387A, 65-2895, 65-3842B, and 65-2360 shall provide no more than .02 cfs/acre. This wastewater arises because of a developed drain in NESE, Sec. 1, T6N, R2W, B.M.	4-1-1950 NESE Lot 5(SWNW)(6) Lot 7(SWSW)(6) SENE(12) NESE(32) SESE(24)	Irrigation Lot 6(NWSW)(7) SWSE(7)	3-15 11-15	.40 CFS	Beneficial Use

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 619

INDICATES TOTAL

SOURCE: WASTE WATER

TRIBUTARY TO: PAYETTE RIVER

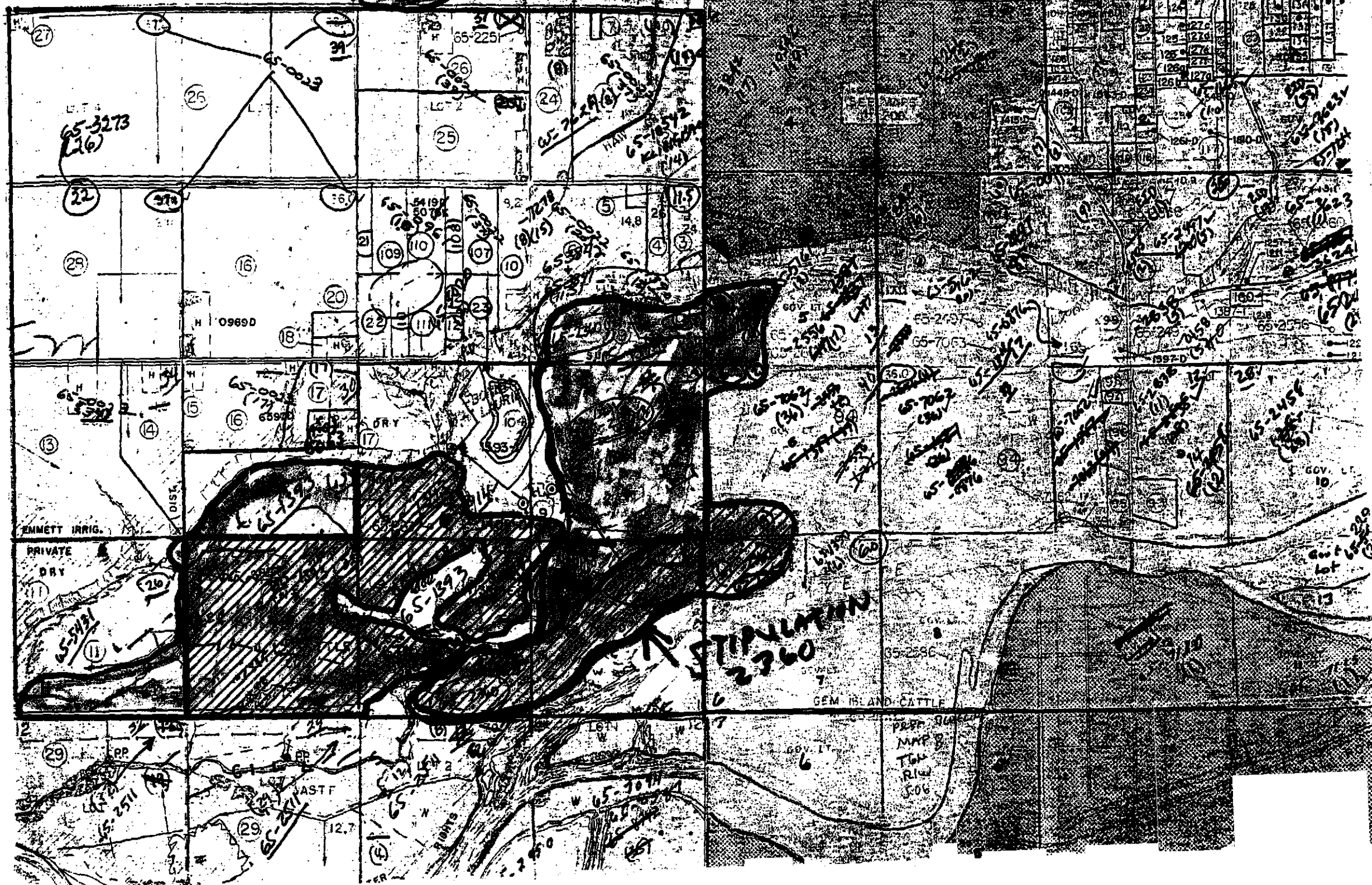
RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2505	BARENBERG, DAVID T. & BARENBERG, JOYCE E. P. O. BOX 533, EMMETT, IDAHO 83617	1/17/1949	IRRIGATION	3/15 11/15	--- AFA .04 CFS	SWNE S 6 T 6N R 1W	SWNE(2) S 6 T 6N R 1W #2*	LICENSE
65-5431	SILLER, MYRLE & SILLER, PAUL ROUTE 2, EMMETT, IDAHO 83617	4/ 1/1949	IRRIGATION	3/15 11/15	--- AFA .52 CFS	SWSW S 1 T 6N R 2W	SWSW(26) S 1 T 6N R 2W #26*	BENEFICIAL USE
65-1390	REKOW, CHARLES L. & REKOW, DELMA C. ROUTE 2, BOX 266-6, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2360 & 65-2895 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	4/ 1/1950	IRRIGATION	3/15 11/15	--- AFA .40 CFS	NESE S 1 T 6N R 2W	SENE(12) NESE(32) SWSE(7) SESE(24) S 1 T 6N R 2W LOT 5(6) LOT 7(6) LOT 6(7) S 6 T 6N R 1W #94*	BENEFICIAL USE
65-2531	O & D FARMS INCORPORATED ROUTE 2, NEW PLYMOUTH, IDAHO 83655 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF FARMERS COOPERATIVE IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	5/10/1950	IRRIGATION	3/15 11/15	--- AFA .90 CFS	SWNE S30 T 7N R 3W	SWNE(17) SENE(3) SENE(16) S30 T 7N R 3W #36*	LICENSE
65-2533	BARNES, ROY M. & BARNES, LESLIE D. ROUTE 2, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	7/ 6/1950	IRRIGATION	3/15 11/15	--- AFA .20 CFS	SENE S 2 T 6N R 2W	SENE(10) S 2 T 6N R 2W #10*	LICENSE
65-10739	GARNON, DONALD L. & GARNON, MILDRED E. ROUTE 2, BOX 97-0, EMMETT, IDAHO 83617 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF EMMETT IRRIGATION DISTRICT SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	6/ 1/1951	IRRIGATION	3/15 11/15	--- AFA .50 CFS	NWNE S36 T 7N R 2W	SWNE(25) S36 T 7N R 2W #25*	BENEFICIAL USE

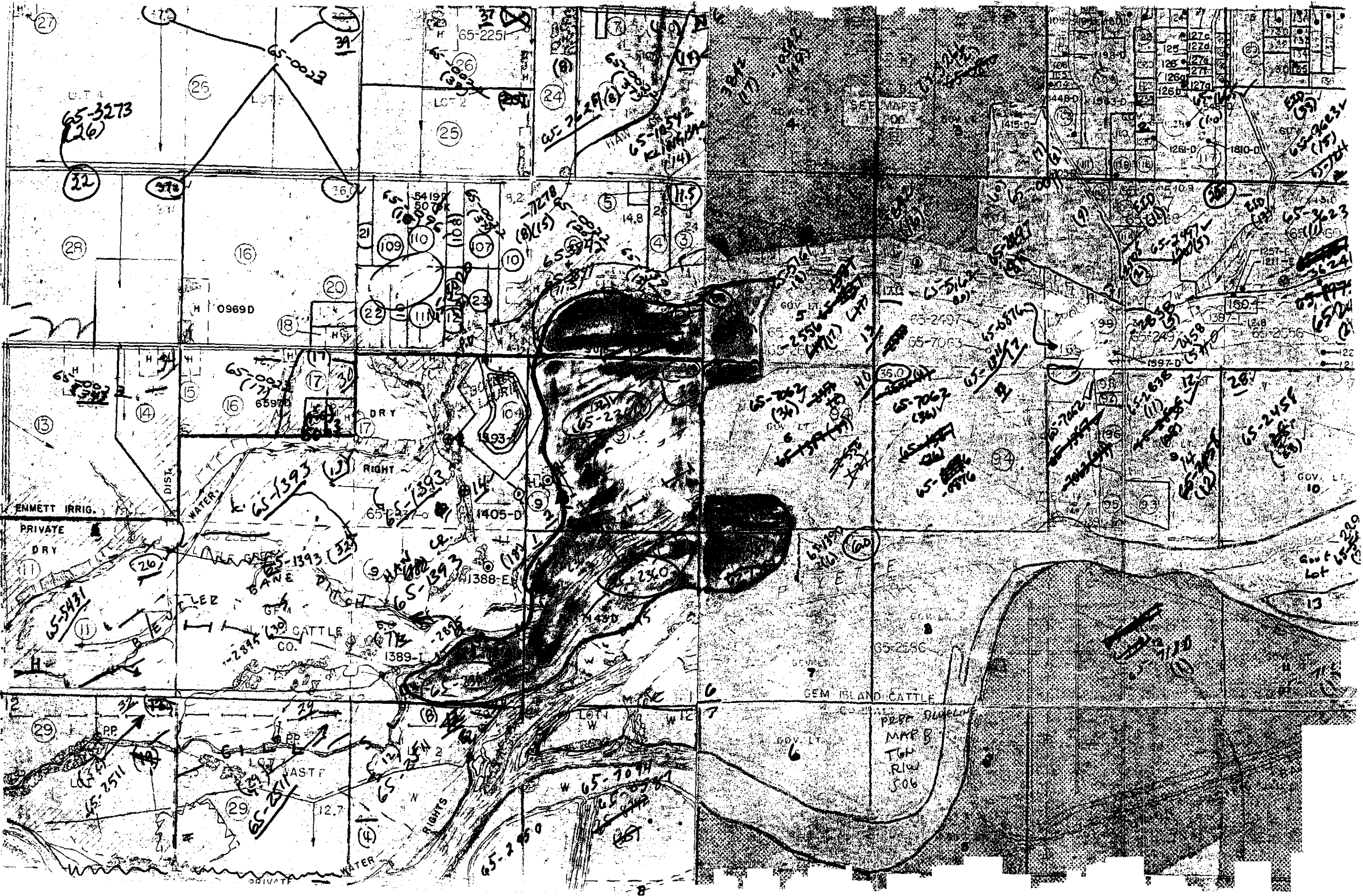
AMENDED BY:
Stipulation

1. NA BLUELINE MAP A
T6W R24W S01

HAW CREEK

GILL Slough & Payette River OVERLAPS





JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-7920

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

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	STIPULATION ADDING, AMENDING,
WATER OF THE PAYETTE RIVER	)	AND DELETING RECOMMENDATIONS
DRAINAGE.	)	FOR GOSLIN, KIENITZ,
	)	NEBEKER AND REKOW
	)	

R. Keith Higginson, Director of the Idaho Department of Water Resources, Walter and Josephine Nebeker, John H. and Karon S. Kienitz, T. Edwin and Ida Goslin, and Charles L. and Delma C. Rekow, enter into a stipulation resolving an oversight from the record before this court in the Payette Adjudication. This omission or oversight was initially addressed by a motion pursuant to Rule 60(a) filed with the court March 28, 1988.

As explained in the motion on file with the court, the land for which a claim was omitted by the oversight of the Idaho Department of Water Resources is presently farmed by Nebeker and Kienitz. Kienitz owns his land under a contract of sale from the Rekows.

Additional facts not contained in the original motion nor the affidavits which accompanied the motion are agreed to by the parties in this stipulation. Those facts include the following: the waste water rights which are affected by this stipulation are all for waste water from the Emmett Irrigation District. From a review of documents on file with the Idaho Department of Water Resources, the parties agree that the lands now owned or being purchased by Goslin, Nebeker, Rekow and Kienitz began irrigation with waste water (originating from the east side of Washington Street) in the 1920's. Specifically, it appears that the records of the Idaho Department of Water Resources support a priority date of April 1, 1926 for 65-1387A, 65-1387B, and 65-11415, and a priority date of 11-10-1929 for 65-2360. No other individuals are presently using this particular source of waste water. Goslin has two additional water rights (65-2838 and 65-2497) for waste water from this same area which have junior priority dates.

In the process of the negotiations leading to this stipulation, it became apparent that there were other clerical errors in rights for the same lands. Specifically, right 65-3842 originally decreed in the name of Beckman, is appurtenant to lands now owned by Rekow. Further, because part of the land under right 65-3842 is under contract of purchase with Kienitz, the right was split to 65-3842A and 65-3842B.

The changes to the water right claim numbers are reflected in the attached exhibit. Also, where these new claim numbers need to be listed as "Other Rights" where the land to which the

right is appurtenant is also covered by an additional water right, those changes are reflected in the exhibit.

There is a decreed licensed right, 65-2458, which is no longer in the listing of water rights accompanying this stipulation. Right 65-2458 was originally recommended for land that is now covered by 65-11415. The records in the license files at the Department of Water Resources provided evidence that the water use under 65-2458 arose earlier than the priority date indicated on the license. Thus, instead of licensed right 65-2458, beneficial use right 65-11415 is listed in the schedule accompanying this stipulation with a priority date of April 1, 1926. The rate of diversion for 65-11415 is 1.56 cfs, reflecting a clerical correction that only 78 acres can be irrigated from this diversion. Originally, 65-2458 listed a diversion rate of 1.74 cfs for 87 irrigated acres. The points of diversion and places of use are unchanged except for clerical corrections which are indicated.

An additional decreed licensed right 65-2360 is listed with reduced acreage in the attached schedule of rights. The records in the license files at the Department of Water Resources provided evidence that water use on some acres under 65-2360 began earlier than the date on the license. Therefore, 63 acres previously listed with 65-2360 are now listed with 65-1387A in the schedule of rights accompanying this stipulation.

DATED this 17th day of April, 1989.

Josephine P. Beeman
JOSEPHYNE P. BEEMAN
Deputy Attorney General
Department of Water Resources

Water Nebeker

Josephine Nebeker

John H. Kienitz

Karon S. Kienitz

Edwin Goslin
Edwin Goslin

Ida M. Goslin
Ida Goslin

Charles L. Rekow

Delma C. Rekow

32
JIM JONES
Attorney General

JOSEPHINE P. BEEMAN
Deputy Attorney General
Department of Water Resources
Boise, Idaho 83720
Telephone: (208) 327-7920

NO.

FILED AT A.M.

P.M.

DATE:

5-15-90

THELMA R. KOLODZIEL, CLERK

BY Laci Rambour DEPUTY

RECEIVED
MAY 17 1990

Department of Water Resources

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

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHTS TO)
THE USE OF SURFACE AND GROUND)
WATER OF THE PAYETTE RIVER)
DRAINAGE.)

Civil Case No. 3667

ORDER AMENDING DECREE OF
WATER RIGHTS PURSUANT TO
STIPULATION OF GOSLIN,
KIENITZ, NEBEKER, REKOW AND
THE IDAHO DEPARTMENT OF
WATER RESOURCES

The stipulation of R. Keith Higginson, Director of the Idaho Department of Water Resources, Walter Nebeker and Josephine Nebeker, John H. Kienitz and Karon A. Kienitz, T. Edwin Goslin and Ida Goslin, and Charles L. Rekow and Delma C. Rekow has been filed with the court. Attached to that stipulation is a listing of water rights. Exhibit A attached to this order is the stipulation with the listing of water rights. Since identical stipulations were separately signed by the parties, the stipulation attached as Exhibit A shows only the signature of one of the parties, the Goslins.

The stipulation lists amendments to the decree of water

ORDER AMENDING DECREE OF WATER
RIGHTS PURSUANT TO STIPULATION - 1

rights for the Payette River Drainage Basin. The need for amendments was initially addressed by a motion pursuant to Rule 60(a) of the Idaho Rules of Civil Procedure to correct an omission made by the Idaho Department of Water Resources. That motion was filed March 28, 1988 with the court. Additional corrections have been identified by the parties since that time. Now, by stipulation of the affected parties, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the decree of water rights for the Payette River Drainage Basin be amended as follows:

1. Water right 65-3842 is replaced by two new water rights known as 65-3842A and 65-3842B, as listed in Exhibit A.
2. Water right 65-2360 is replaced in part by a new water right, 65-1387A, listed in Exhibit A; the remaining portion of 65-2360 is shown as amended in Exhibit A.
3. Water right 65-1387B is a new water right listed in Exhibit A; 65-1387B was not previously listed in the water rights for the Payette River drainage basin.
4. Water right 65-2458 is replaced by a new water right, 65-11415, as listed in Exhibit A. Also, of nine acres originally listed with 65-2458, six acres are now shown with 65-2497 and three acres are shown with 65-2838, as listed in Exhibit A.
5. Water right 65-2497 is unchanged except for minor amendments listed in Exhibit A.
6. Water right 65-1390 is unchanged except for minor amendments listed in Exhibit A.
7. Water right 65-2838 as listed in Exhibit A is unchanged except for minor amendments.
8. Water right 65-1393 as listed in Exhibit A is unchanged except for minor amendments.
9. Water right 65-2895 is listed in Exhibit A as licensed subsequent to the filing of the proposed finding of water rights for the Payette River drainage basin.

10. Water right 65-7062 as listed in Exhibit A is unchanged except for minor amendments.

The specific changes accomplished by this Order are more fully set forth in the listing of the water rights accompanying the stipulation, all attached as Exhibit A and that exhibit is incorporated as if fully set forth herein. The exhibit comprises eleven pages.

DATED this 9th day of May, 1990.

JIM R. DOOLITTLE

JIM R. DOOLITTLE
District Judge

: ADJUDICATION MEMORANDUM

CLAIM NO.: A6501390 A65-02390

SUBJECT: Change of ownership

EMPLOYEE: TTRWICUCCI

DATE: 02/18/1998

A change of ownership was submitted in Sept of 1996 on these claims. The legal description of the property was plotted with IDWR's computer program. After review of the Payette River Adjudication field maps it was very difficult to tell which water rights were appurtenant to the property. TTR. Wear (new owner) indicated that he would stop in our offices sometime in the Fall of 1996 but he was not able to meet with IDWR.

Copies of the Payette maps, claims, etc are located in file A65-01390.

The ownership of the claim (or portion thereof) was not changed because of the uncertainty in the number of acres or the appropriate water right (see also 65-02360). A field exam may be necessary to straighten out ownership, etc.

The Wears will be de'd as present owners.

They should be contacted at the time of the field exam.



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

July 17, 1996

MICHAEL L WEAR
THERESA D WEAR
1009 SUNSET DR
EMMETT ID 83617

RE: Notice of Change of Water Right Ownership

Dear Mr. and Mrs. Wear:

This office has received the enclosed form requests the department change the ownership on claim numbers A65-01390 and A65-02360. Enclosed are reports which summarize these claims. We cannot process the Change of Ownership form without additional information from you.

First, if you are the new owners of the property, you must sign and date the Change of Ownership form.

Secondly, it is very difficult to determine how many acres, if any, of the listed water right claims are appurtenant to the property which you have purchased. To assist us in this matter, please indicate on the enclosed map the property that you have purchased and how many acres are irrigated. Please also indicate the source of the water and where the water is diverted from the source.

Thank you for your assistance in this matter. We cannot process that change in ownership without receiving the requested information from you. Please submit the requested information by August 12, 1996. If we do not receive the requested information the ownership of the claims will remain in the names of the original owners.

Please do not hesitate to contact me if you have any questions or comments about this letter or the referenced claims.

Sincerely,

Maria Minicucci
Sr. Water Agent, Adjudication Bureau

MM:m

Enc: Profile reports, A65-01390, A65-02360; OQ of T06N, R01W, s. 6 & 02W, s. 1
C of O Form



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

March 7, 1996

CHARLES L REKOW
DELMA C REKOW
1029 LILAC DR
EMMETT ID 83617

RE: Change in Ownership for portions of claim nos. A65-01390 and A65-02360

Dear Mr. and Mrs. Rekow:

This office has received a change of ownership for which indicates that you have sold a portion of your property and the appurtenant water rights to another party. A copy of the form is enclosed.

Unfortunately, it is very difficult to determine how much of the water right is appurtenant to the property that was sold. In order to split the claims so that the appropriate amount is put into the name of the new owner, please locate the property which was sold on the enclosed map and indicate how many acres in each quarter-quarter were sold to the new owner.

Once this office receives the information, we will proceed with splitting the original claims so that the appurtenant water rights are put in the name of the appropriate owners. You will receive a copy of the claim which represents your remaining portions of the water rights.

If you have any questions or need additional information, please do not hesitate to contact me at this office.

Sincerely,

Maria Minicucci

Sr. Water Agent, Adjudication Bureau

MM:m

Enc: ✓ Q map of T06N, R01W, section 6
✓ Profile reports, A65-01390 & A65-02360



RECEIVED
SEP 03 1996
WATER RESOURCES
WESTERN REGION

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

MAY 8 - 1996

Department of Water Resources

DATE OF CLOSING: 5-23-94 & 12-21-95

LEGAL DESCRIPTION OF PROPERTY: Township 6 North Range 1 West,
Section 6, SE 1/4 of NW 1/4 of NE 1/4 SW 1/4, Govt. Lot 586, BM.
Lot _____, Block _____, Subdivision/Townsite _____

RECEIVED

MAY 08 1996

WATER RESOURCES
WESTERN REGION

If you have additional legal descriptions, please attach separate sheet.
as attached on Warranty Deeds enclosed.

- ☐ 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:

A65-01390 and A65-02360

- ☐ Name and Address of Former Owner/Claimant(s)(Seller):

Charles L. RekowDelma C. Rekow1029 Lilac Drive Emmett, Idaho 83617

- ☐ New Owner/Claimant (Purchaser):

~~Emmett, Idaho 83617~~ Geri Heavrin

- ☐ New Mailing Address:

~~XXXX~~ 5-23-941490 Fernlee CircleEmmett, Idaho 83617

Newest Deed & Mailing Address: 12-21-95 Michael L. Wear and Theresa D. Wear, 1009 Sunset Drive

- ☐ New Telephone Number: (208) 365-5159

Emmett, Idaho 83617

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Legal Description Attached on Attached Legal.

- ☐ Attach proof of ownership, describe proof attached:

Copy of Warranty Deed to Heavrin attached. QCD Heavrin to Heavrin,

Copy of Warranty Deed to Wear attached
(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)

Michael L. WearDate 08-20-96Theresa D. WearDate 8-20-96

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

Charles L. RekowDate 3-13-96

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: 07/10/1996 By: BN

Further Action Needed:

Signatures, map of property

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

MAY 8 - 1998

Department of Water Resources

INSTRUCTIONSRECEIVED
SEP 3 0 1998
ADJUDICATION BUREAU
BOISE, IDAHO

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.

Send in with copy of Description of Land

RECEIVED

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CHANGE IN OWNERSHIP

Department of Water Resources

[] Water Right Number(s): A65-01390, A65-02360

[] Name and Address of
Former Claimant:

Charles L. Rekow

1029 Lilac Ln.

Emmett Id. 83617

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OCT 30 1995

WATER RESOURCES
WESTERN REGION

[] New Claimant(s):

Geri L. Heavrin

[] New Mailing Address:

1490 Fernlee Cir.

Emmett Id. 83617

New Telephone Number: (208) 365-5159

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached:

[] Signature of New Claimant(s):

Geri Heavrin

Date:

10-25-95

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 03/17/1996

By: PTD

Further Action Needed: split

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

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WARRANTY DEED

Department of Water Resources

GRANTOR, CHARLES L. REKOW and D. COLLEEN REKOW, husband and wife,, of Emmett, County of Gem, State of Idaho, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto A. CLARK HEAVRIN and GERI L. HEAVRIN, husband and wife, whose current address is 1009 Sunset Drive, Emmett, County of Gem, State of Idaho, as GRANTEE, and to Grantee's heirs and assigns forever, all of the following described real estate located in Gem County, Idaho:

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OCT 3

WATER R
WESTER

A tract of land situate in a portion of the Southeast 1/4 of the Northwest 1/4, a portion of U.S. Lots 5 and 6 and a portion of the Northeast 1/4 of the Southwest 1/4, all within Section 6, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho. More particularly described as follows:

Commencing at the Southeast corner of said Government Lot 5 as said corner is shown on that certain Record of Survey filed as Instrument No. 132562, Records of Gem County, Idaho; Thence North 00°00'45" East along the East line of said Lot 5, a distance of 618.15 feet to a point, said point being THE REAL POINT OF BEGINNING; Thence along the following courses and distances as shown on that certain sketch of Harman Property for C. H. Higer, Attorney, and Surveyed by Tudor Engineers on July 1, 1969:

South 87° West, a distance of 373.64 feet;

North 79° West, a distance of 180.00 feet;

South 80° West, a distance of 120.00 feet;

South 71° West, a distance of 260.00 feet;

South 00° West, a distance of 719.00 feet;

North 68°30' East, a distance of 243.00 feet; Thence North 89° East, a distance of 787.71 feet to a point, said point being 100 feet East of the East line of Government Lot 5; Thence North 00°00'45" East and parallel with the East line of said Government Lot 5, a distance of 761.65 feet to a point on the Southerly Right of Way line of Sunset Drive as shown in the above referenced survey by Tudor Engineers; Thence North 85°16' West along said Right of Way, a distance of 100.34 feet to a point on the East line of Government Lot 5; Thence South 00°00'45" West along last said East line a distance of 63.04 feet to the point of beginning.

PR

Said tract of land including water and ditch rights appurtenant to or used in connection with the properties being sold or conveyed hereby.

Said tract of land subject to rights of way or easements of record or in use.

Said tract of land containing therein a calculated area of 16.783 acres, more or less.

TOGETHER with all improvements and appurtenances thereto.

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

Grantor, for itself, its heirs and assigns does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantee, its heirs and assigns forever against the lawful claims of all persons.

In construing this deed and where the context so requires, the singular includes the plural and the masculine, feminine and the neuter.

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OCT 26 1995

Department of Water Resources

IN WITNESS WHEREOF, GRANTOR has hereunto subscribe its name
to this instrument this 14 day of MARCH, 1988.

Charles L. Rekow
CHARLES L. REKOW

D. Colleen Rekow
D. COLLEEN REKOW

STATE OF IDAHO)
) ss.
County of Gem)

On this 14 day of MARCH, 1988, before me, the
undersigned, a Notary Public for Idaho, personally appeared
CHARLES L. REKOW and D. COLLEEN REKOW, husband and wife, known to
me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.

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

Lynn M. Johnson
Notary Public for Idaho
Residing at Emmett, Idaho

WARRANTY DEED

For Value Received

GERI L. HEAVRIN, a single woman also known as Geri Lynn Heavrin

The grantor does hereby grant, bargain, sell and convey unto

MICHAEL L. WEAR and THERESA D. WEAR, husband and wife,

the grantee s, whose current address is 1009 Sunset Drive, Emmett, Idaho 83617

the following described premises, in

GEM

County Idaho, to-wit:

Legal Description Attached.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s, that they are the owner s in fee simple of said premises; that they are free from all incumbrances EXCEPT: current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: December 21, 1995

Geri L. Heavrin
Geri L. Heavrin, by Walter D. Nebeker,
Attorney in fact.

Walter D. Nebeker
Walter D. Nebeker, Attorney in fact
for Geri L. Heavrin.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee s that they are the owner s in fee simple of said premises; that they are free
from all incumbrances EXCEPT: current year taxes, conditions, covenants, restrictions,
reservations, easements, rights and rights of way, apparent or of record.

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: December 21, 1995

Geri L. Heavrin
Geri L. Heavrin, by Walter D. Nebeker,
Attorney in fact.

Walter D. Nebeker
Walter D. Nebeker, Attorney in fact
for Geri L. Heavrin.

STATE OF IDAHO
COUNTY OF GEM

} ss.

On this 21st day of December in the
year 19 95, before me, a Notary Public, personally appeared
Walter D. Nebeker

known or identified to me to be the person whose name is subscribed to the within
instrument as the attorney in fact of Geri L. Heavrin
also known as Geri Lynn Heavrin and acknowledged to me
that he subscribed the name of Geri L. Heavrin
thereto as principal, and his (her) own name as attorney in fact.

Notary Public

Residing at

Idaho

Commission expires: 6-30-2000

OF IDAHO, COUNTY OF GEM
do hereby certify that this instrument was filed for record at the
of Alliance Title

35 minutes past 11 o'clock A M.,
21st day of December, 1995,
in my office, and duly recorded in Book as a Deed
under Instr. #187704.

Thelma R. Kolodziej
Ex-Officio Recorder

Judy Biggam
Deputy.

\$6.00

WARRANTY DEED

INSTRU. NO. 182224

PAGES 2 of 2

Legal Description (Continued)

A tract of land situated in a portion of Government Lot 5, Government Lot 6, the SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4, Section 6, Township 6 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Southeast corner of Government Lot 5, Section 6, Township 6 North, Range 1 West, B.M.; thence

North 1°49'29" East, 603.05 feet (formerly North 00°00'45" East, 618.15 feet) along the East line of said Government Lot 5 to the REAL POINT OF BEGINNING; thence

South 88°48'44" West, (formerly South 87° West) 373.64 feet to a point; thence

North 76°46'55" West, (formerly North 79° West) 180.00 feet to a point; thence

South 82°13'05" West, (formerly South 80° West) 120.00 feet to a point; thence

South 73°13'05" West, (formerly South 71° West) 260.00 feet to a point; thence

South 2°13'05" West, (formerly South 00° West) 719.00 feet to a point; thence

North 70°43'05" East, (formerly North 68°30' East) 243.00 feet to a point; thence

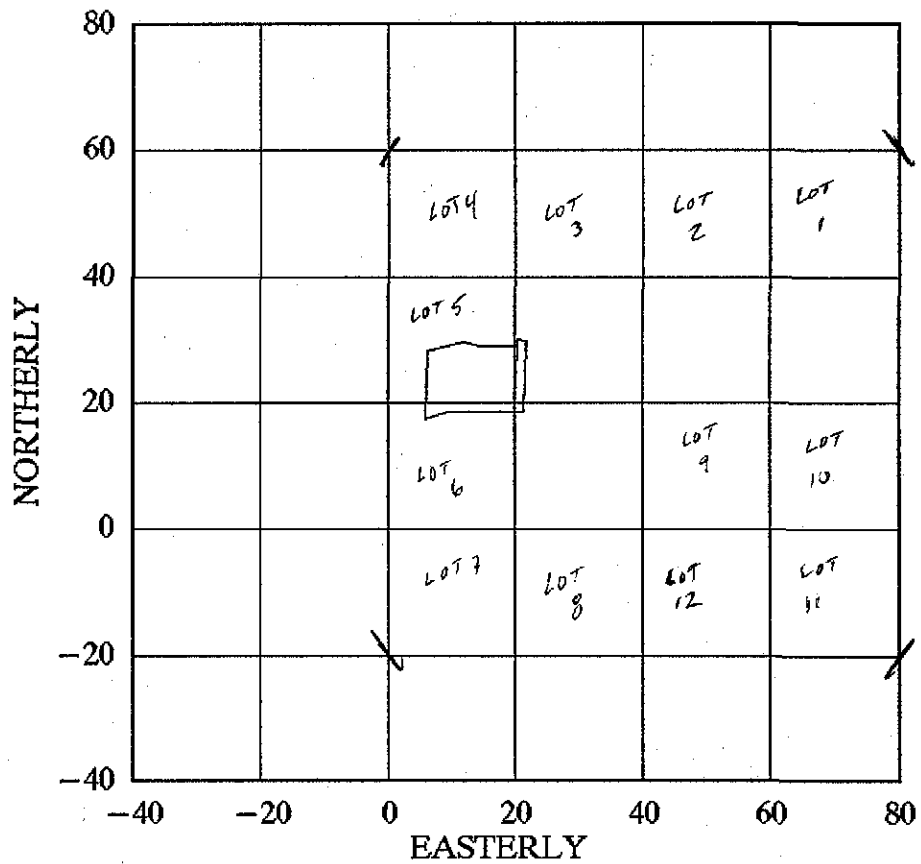
North 89°33'43" East, 793.16 feet (formerly North 89° East, 787.71 feet) to a point; thence

North 1°49'29" East, 744.87 feet (formerly North 00°00'45" East, 761.65 feet) to a point; thence

North 85°05'12" West, 100.15 feet (formerly North 85°16' West, 100.34 feet) to a point on the East line of said Government Lot 5; thence

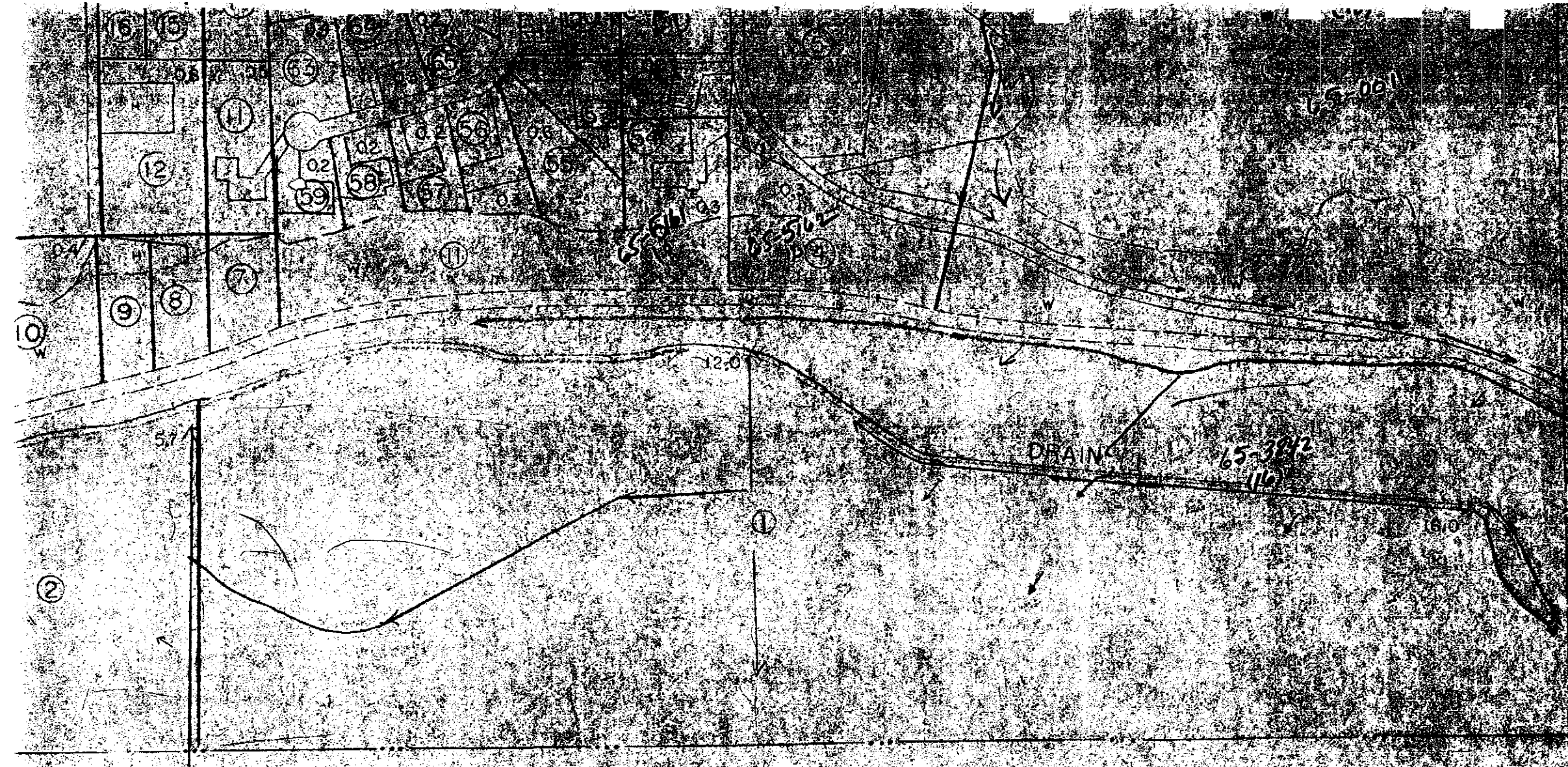
South 1°49'29" West, (formerly South 00°00'45" West) 63.04 feet along the East line of said Government Lot 5 to the REAL POINT OF BEGINNING.

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



Heaven → Wear

Town Row S. 6.



NW 1/4 SEC 6

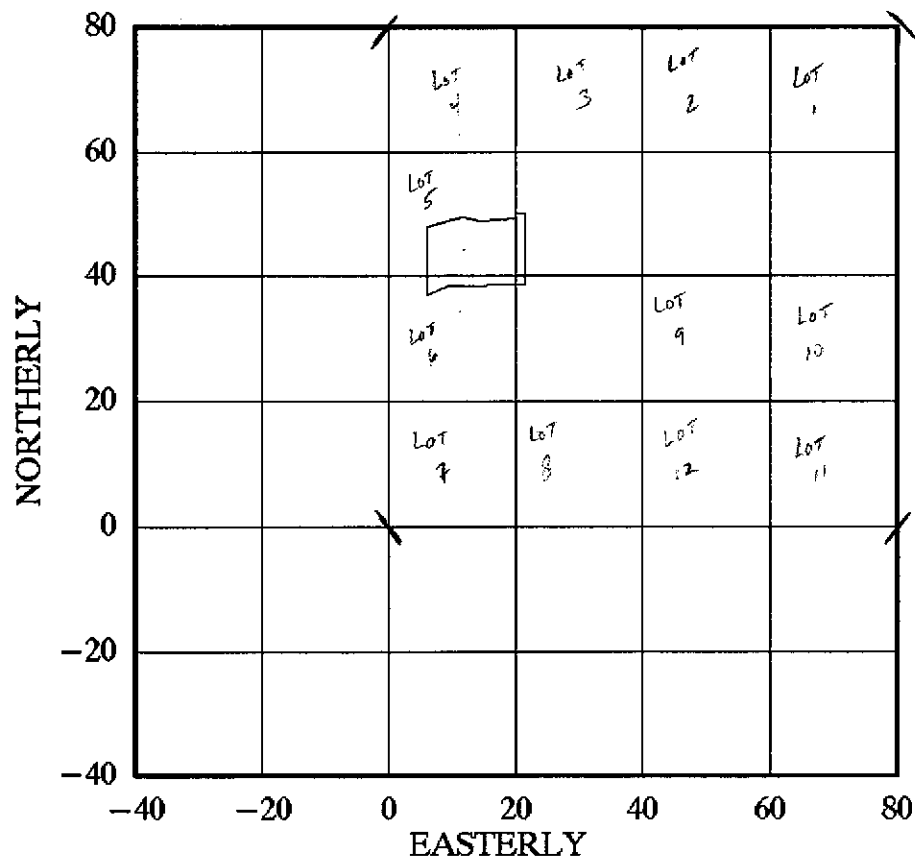
DEPT. OF
AGRICULTURE
DIVISION OF
LAND
OFFICE
CHICAGO
ILL.
1916

Lafette R Trap

Ten rim Maps

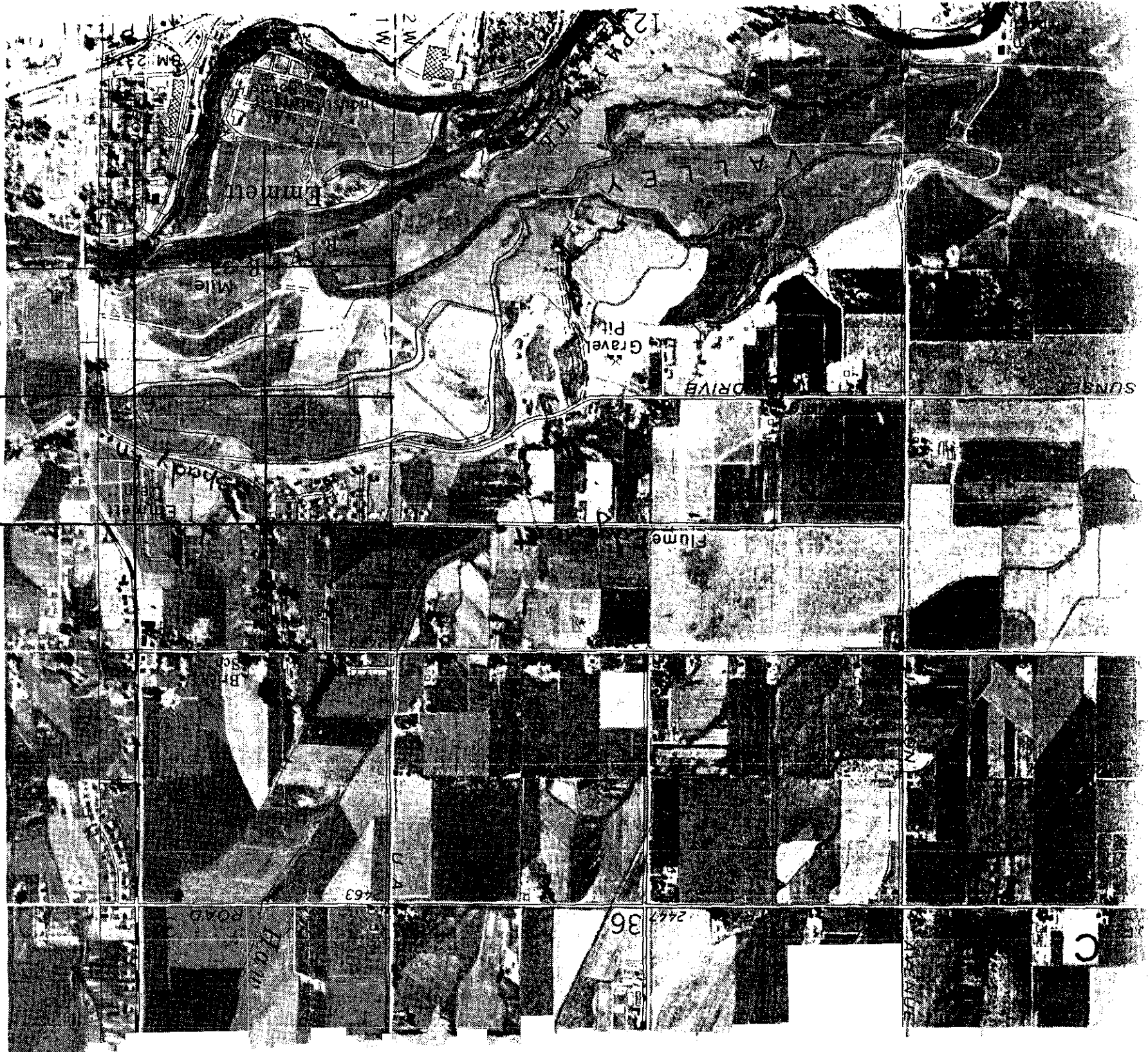
Kv 4 S-6

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



TOWN ROW
S.G

Rekow - HEAVEN
Metes & bounds

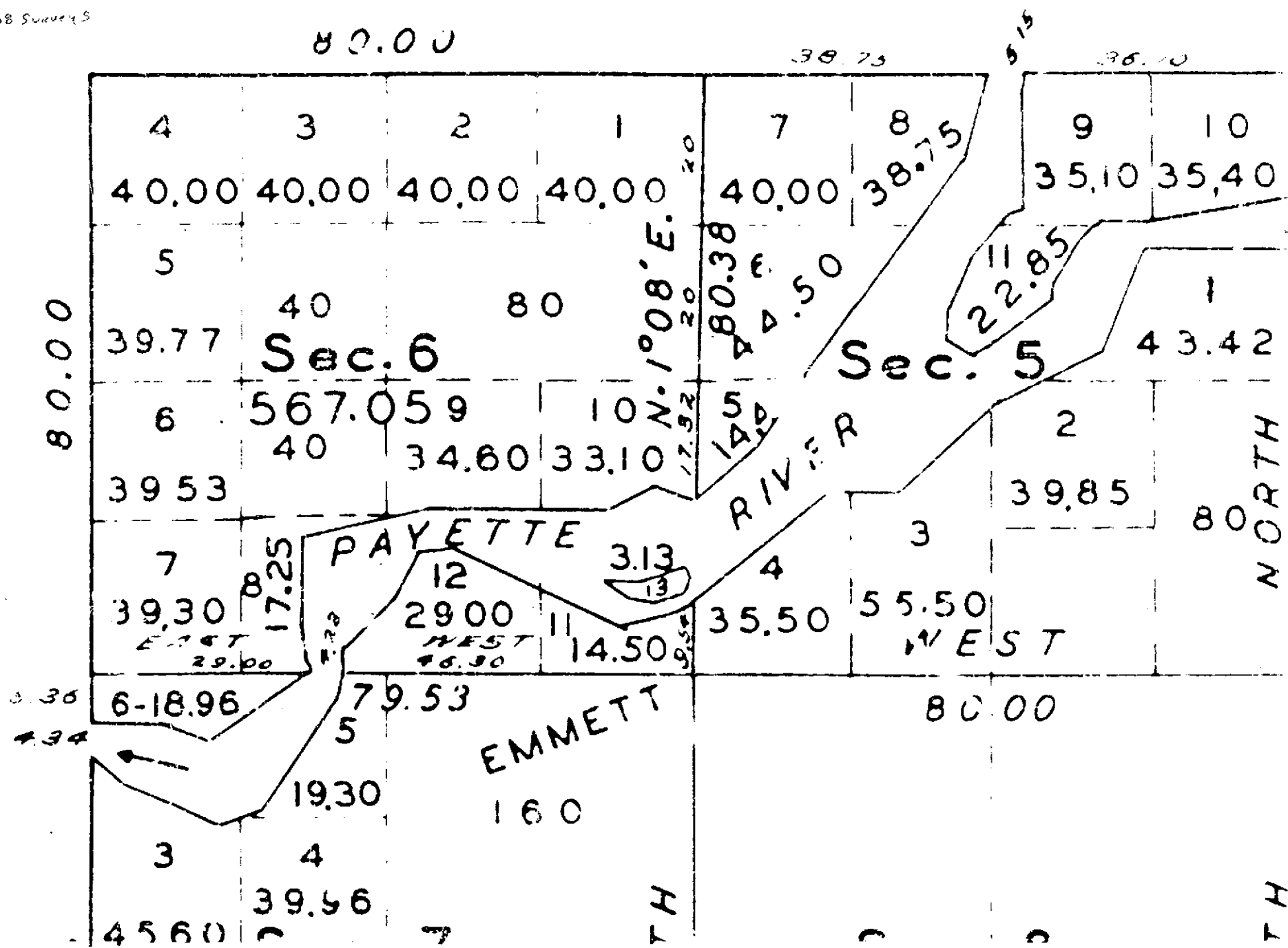


Rekon → Heaven
Heaven → W-6 1974

48 59000m.N.

T T

From 1868 Survey 5



State of Idaho License and Certificate of Water Right

Water License No. 17030
Water District No.

Amount 1475 cfs
Priority Over 1st 1923

THIS IS TO CERTIFY that the above named water right was made application for a permit to appropriate the public water of the State of Idaho, dated 10-20-1923, under License No. 17030, was issued under said application that certificate of completion of works with a carrying capacity of 2.5 cfs, was issued thereunder on 10-20-1923, showing that said work were completed on the 10th day of November, 1923, and that said right to the use of said water has been perfected in accordance with the law of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered on record in Volume of Licenses, at page 3717, on the 23rd day of January, 1923.

The right hereby confirmed shall extend from November 10th, 1923, to the point of diversion is located in the SE 1/4 of Sec. 17, T. 2N., R. 12E., S. 1E., Co. 1, Idaho. That the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid is limited to an amount actually needed and beneficially used for said purposes and shall not exceed 2.5 cubic feet per second.

Description and location of use:

Div.	Range	Sec.	Township	No. Acres Described	No. Acres Actually Irrigated
1	12E.	17	2N. 1E. SW 1/4	19.36	19.36

The right to the use of the water here and the right to the water here described shall extend to the heirs, assigns and successors of the person described in the foregoing table.

WITNESSETH that the above and foregoing is a true and correct copy of the original as the same appears on the records of the State of Idaho.

(SEAL)

1932

day of

21st

the

1930

SE-NE NE-SE SE-SE NE-SE Section 1, T. 6 N., R. 2 E.

65-02360 810 Field Notes

