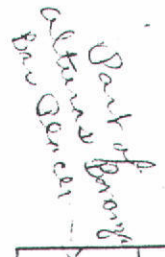


#1



415.1
Jetties

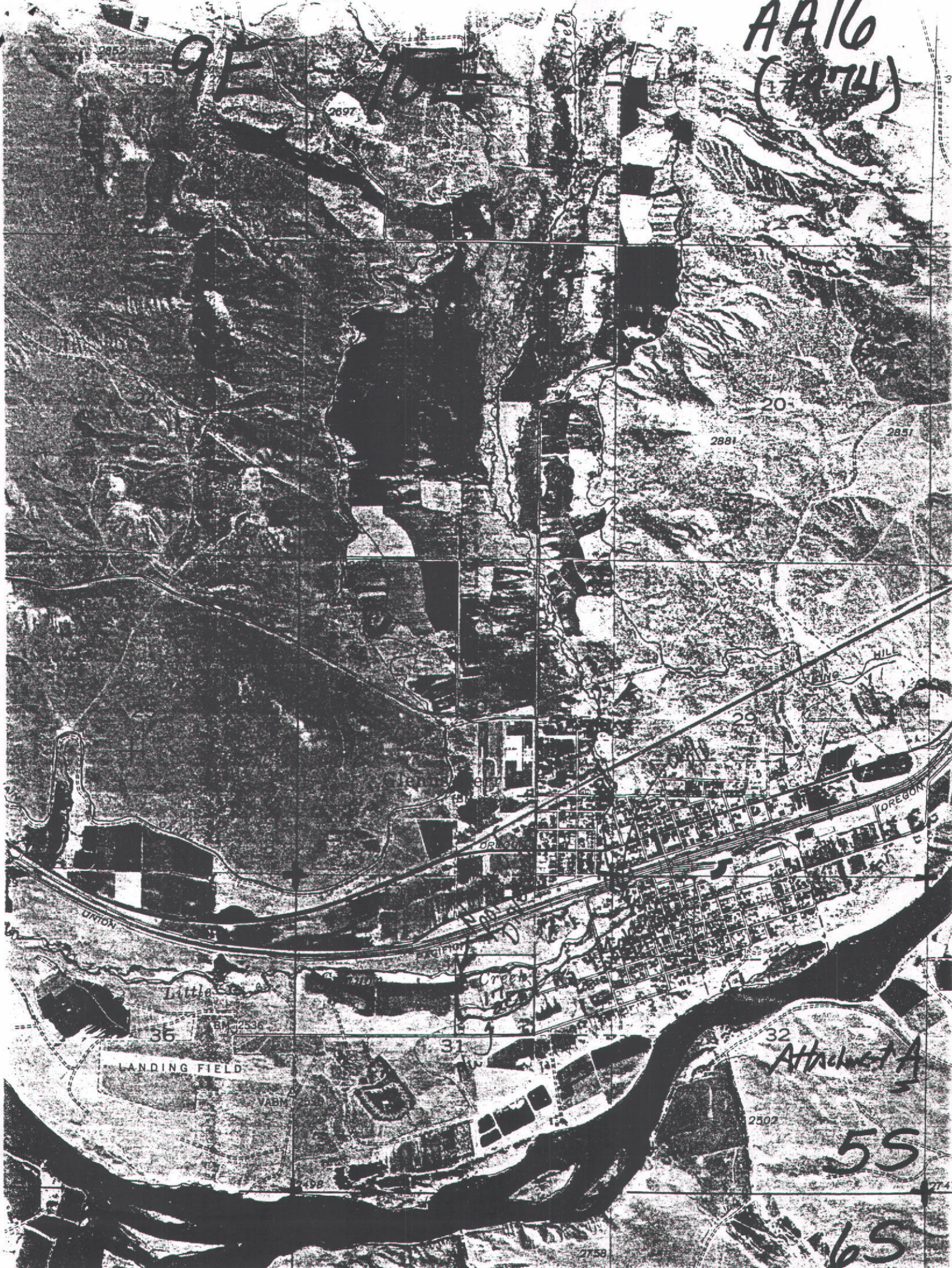


A61-00295B

PROFILMED
JUN 11 1992

AA16
(1974)

9E 10E



Attachment A

55

65

IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

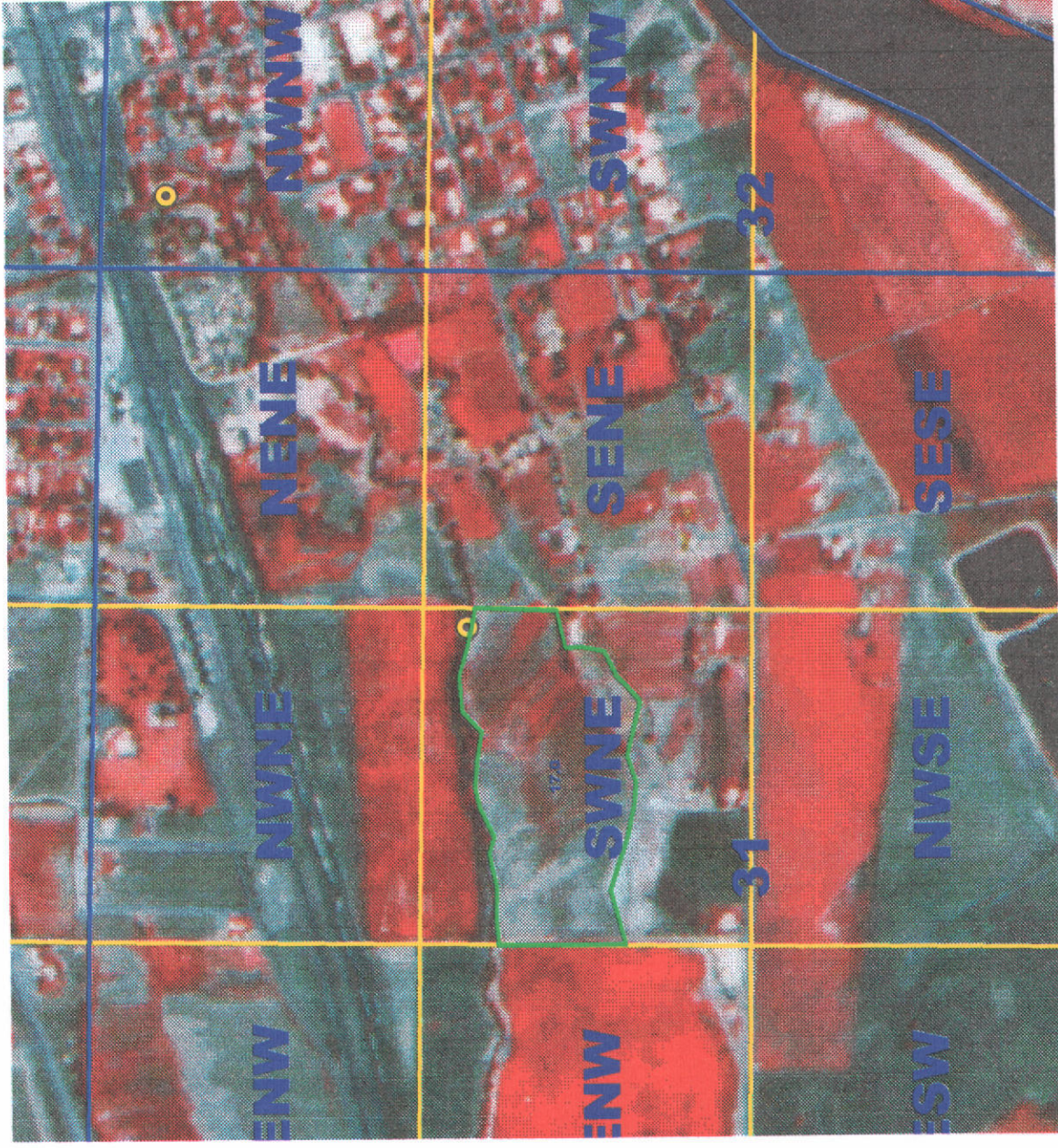
CLAIM(S): 61-00295

T05S, R10E, S31

Owner(s): MARTELL

Prepared by: KAY WALKER
Date: November 7, 1998

-  Place of Use
-  Point(s) of Diversion
-  Section Lines
1/4 1/4's
- 



0 0.25 0.5 Miles

IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

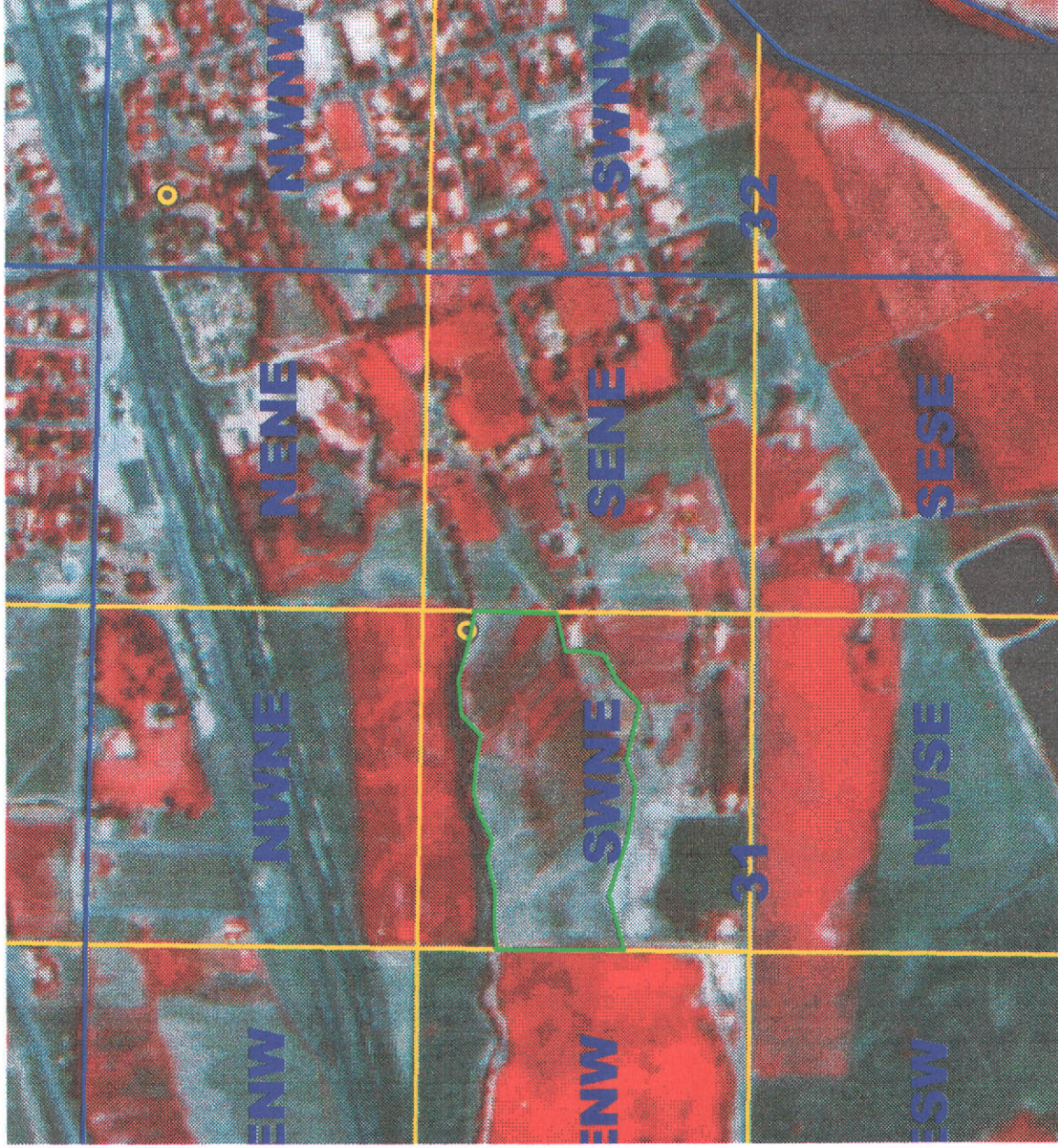
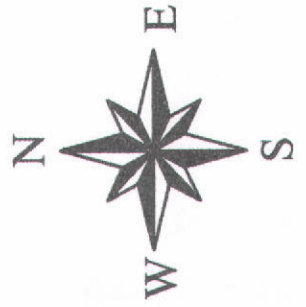
CLAIM(S): 61-00295

T05S, R10E, S31

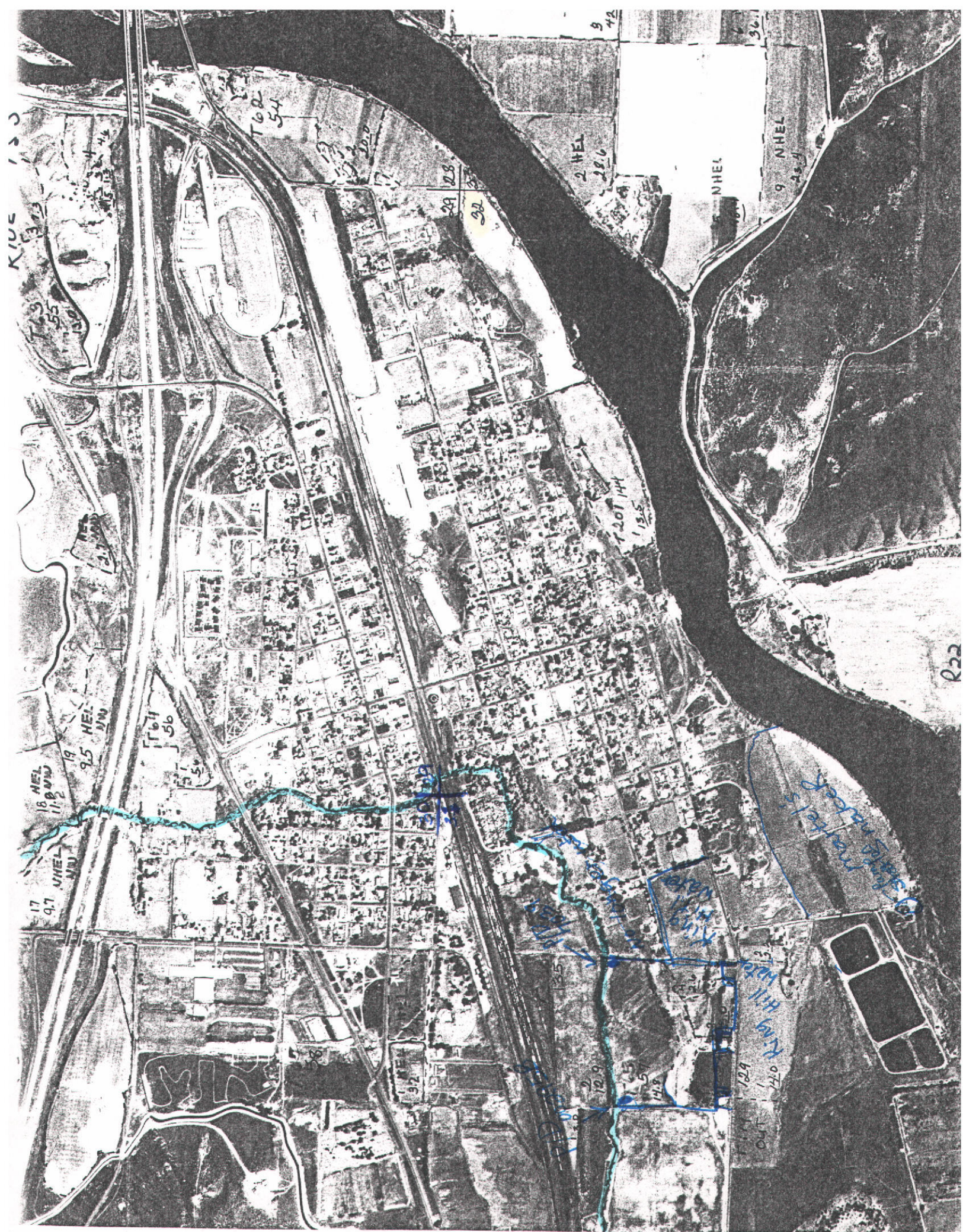
Owner(s): MARTELL

Prepared by: KAY WALKER
Date: November 7, 1998

-  Place of Use
-  Point(s) of Diversion
-  Section Lines
-  1/4 1/4's



0 0.25 0.5 Miles



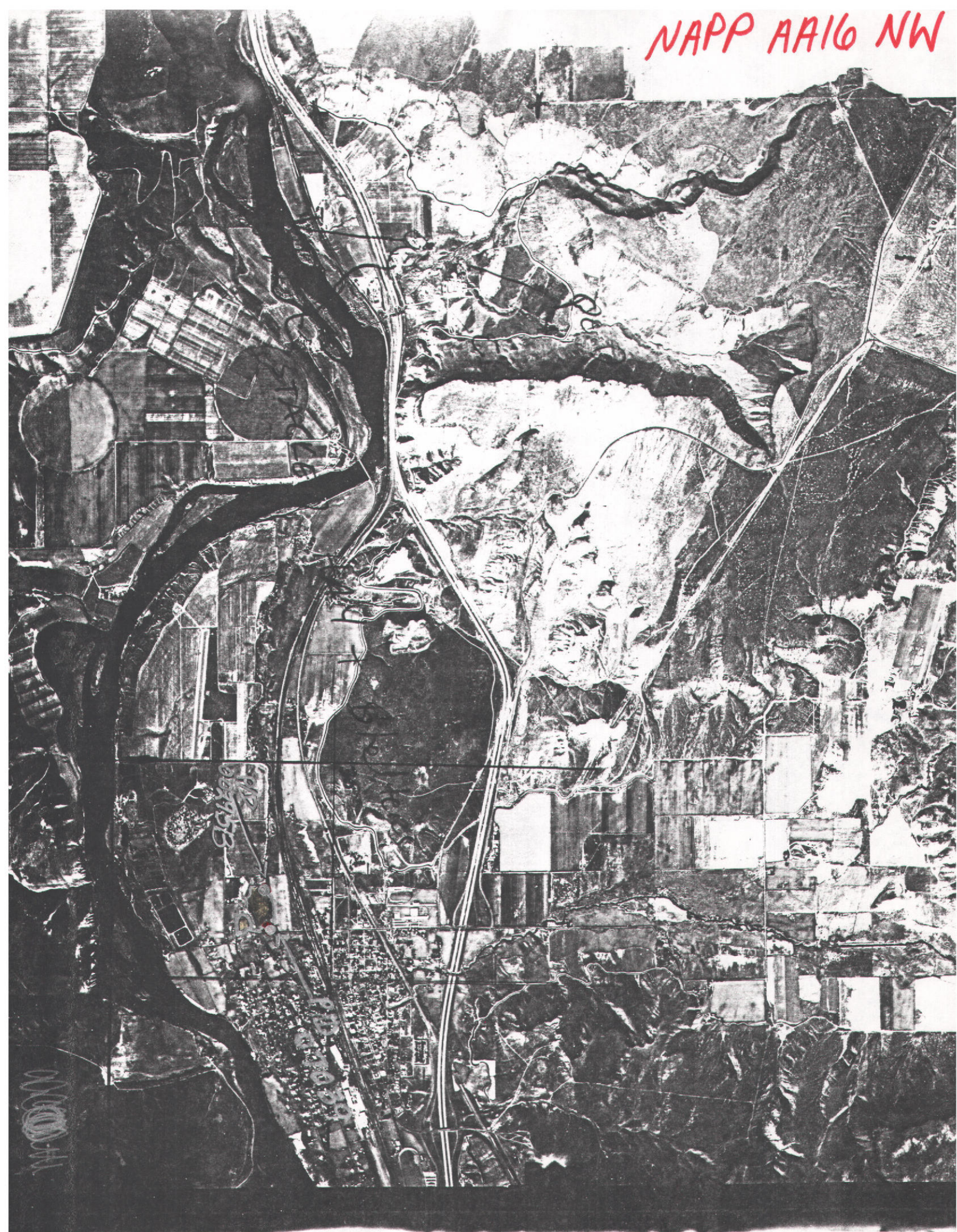
9E 10E

AA 16
(1974)



55

NAPP AA16 NW



A61-00295B

Photos taken
10-18-94 by kw

6" concrete
Pipe in
Little Canyon
Ck. that
diverts water
into ^(old sewer) sump
pump...

Note that end
of pipe is
an offset
that is
drawing
water from downstream.



← water flow in creek.



Sump pump-

↑ water coming in
from other end
of pipe shown
above.

A61-00295B

Photos taken
~~10-18-94~~ 10-18-94
by kw



Sump pump -
underground 2"
pipe to pond
then to
pumps into
pump house
for
pressurizing
sprinkler system

↓ Pond on golf course -

Little Canyon Ck. & King Hill
water co-mingled



A61-00295 B

Photos taken by
KW 10-18-94



Photo taken
from diversion
point looking
out over
place of use.



Place of
use to
east of
above
photo.

AB1-00295B

Photos taken 10/18/94
by kw



Works
inside
pumphouse
for
pressurizing
sprinkler
system.
Runs at 95 psi
at all times.

System
automatically
rotates
sprinklers
at night.



System can pump up to 400 gpm but they
do not do this because it pumps the
pond dry.



MAGIC WEST 65 ACRES

MICROFILMED
AUG 11 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: ~~A61-00295~~
Date Received: 11/ 8/1989
Receipt No: M005188
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES R MARTELL 208-366-2557
Address: PO BOX 764
GLENN'S FERRY ID 83623-0764

OR

Name: CARMELA M MARTELL 208-366-2557
Address: PO BOX 764
GLENN'S FERRY ID 83623-0764

2. Date of Priority: NOV 18, 1888

3. Source: LITTLE CANYON CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	10E	31	SW	NE		R	ELMORE
		32	NW	NW			ELMORE

5. Description of diverting works:
CONC. BOX, DITCH, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	10E	31	SW	NE	IRR	17.0
Section Acres						17.0
Total Acres						17.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
CITY WATER

14. Remarks:

OWNERSHIP CHANGED BY RDH ON 2/24/93.
ADDRESS CHANGE RECEIVED 12/10/98 - KW

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

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 _____ 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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN 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: A61-00295B
Date Received: 11/08/1989
Receipt No: MO05188
Received By: RLB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGINIA A. ANDERSON 208-366-2352
Address: P.O. BOX 432
GLENNS FERRY, ID 83623

2. Date of Priority: NOV 18, 1888

3. Source: LITTLE CANYON CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	10E	31	SW	NE		R	ELMORE
		32	NW	NW			ELMORE

5. Description of diverting works:
CONC. BOX, DITCH, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	31	SW	NE		IRR	17.0
Section Acres							17.0

10. Place of Use: Continued

Total Acres 17.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
CITY WATER

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

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): Virginia A. Anderson Date: Jan. 8, 1989

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of Nov 19 89 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

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

Recommended as 61-00295

Ident. Number: ~~A61-00295B~~ *bw*

Date Received: 11/ 8/1989

Receipt No: M005188

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: THREE ISLAND LLC 208-436-3126
Address: C/O ROGER L JONES
PO BOX 475
RUPERT ID 83350

2. Date of Priority: NOV 18, 1888

3. Source: LITTLE CANYON CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	10E	31	SW	NE			ELMORE

5. Description of diverting works:
CONC. BOX, DITCH, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		68.00

7. Total Quantity Appropriated is:
0.340 C.F.S. (and/or) 68.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	31	SW	NE		IRR	17.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	17.0
					Total Acres	17.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
CITY WATER

14. Remarks:

OWNERSHIP CHANGED BY RDH ON 2/24/93.
ADDRESS CHANGE RECEIVED 12/10/98 - KW
CLAIM AMENDED PER TRANSFER NO. 4479 APPROVED 1/21/1999. KW
APPROVAL OF TRANSFER 4479 DOES NOT GRANT ANY RIGHT-OF-WAY OR
EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER
THAN THE RIGHT OWNER.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4479 IN FILE.
OWNERSHIP CHANGED 2/3/1999 BY KW.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 7, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES R AND CARMELA M MARTELL
PO BOX 764
GLENN'S FERRY ID 83623-0764

RE: Snake River Basin Adjudication (SRBA)
Water Right #61-00295

RECEIVED

DEC 10 1998

WATER RESOURCES
WESTERN REGION

Dear Water Right Holders:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by December 18, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

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

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

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

James R Martell
Claimant Signature

Telephone No.

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: **A61-00295B**
Date Received: 11/ 8/1989
Receipt No: M005188
Received By:

*Recommended
as 61-00295.*

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

1. Name: JAMES R MARTELL 208-366-2557
Address: PO BOX 540
GLENN'S FERRY ID 83623

OR

Name: CARMELA M MARTELL 208-366-2557
Address: PO BOX 540
GLENN'S FERRY ID 83623

2. Date of Priority: NOV 18, 1888

3. Source: LITTLE CANYON CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	10E	31	SW	NE		R	ELMORE
		32	NW	NW			ELMORE

5. Description of diverting works:
CONC. BOX, DITCH, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	31	SW	NE		IRR	17.0
Section Acres							17.0
Total Acres							17.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
CITY WATER

14. Remarks:
OWNERSHIP CHANGED BY RDH ON 2/24/93.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVED

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

DATE OF CLOSING: JULY 9, 1992

AUG 06 1992

Department of Water Resources

RECEIVED

AUG 07 1992

Department of Water Resources
Western Regional Office

LEGAL DESCRIPTION OF PROPERTY: Township 5S Range 10E
Section 31, SW 1/4 of NE 1/4 of 1/4 Govt. Lot 1, B.M.
Lot , Block , Subdivision/Townsite .

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

FULL LEGAL ATTACHED TO DEEDS

[] 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: NOS. A61-002950 AND A61-07039 AND A61-07011

[] Name and Address of Former Owner/Claimant(s)(Seller): DON L. ANDERSON & VIRGINIA ADELE ANDERSON

P.O. BOX 423.

GLENNS FERRY, IDAHO 83623

[] New Owner/Claimant (Purchaser): JAMES R. MARTELL AND CARMELA M. MARTELL

[] New Mailing Address: P.O. BOX 540
GLENNS FERRY, IDAHO 82623

[] New Telephone Number: (208) 366-2557

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

[] Attach proof of ownership, describe proof attached: A61-07011 9-NOV.-1967 .080 CFS 18.00 AF
DEED FROM PURCHASE OF ALL PROPERTY WITH 17 INCHES 18 NOV-1888
AND 19-JULY -1968 .070 CFS A61-07039 ALL WATER FOR THIS PROPERTY TO
(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.) MARTELL'S

[] Signature of New Owner/Claimant(s) James R. Martell Date 7/30/92

Carmela M. Martell Date 7/30/92

[] Signature of Former Owner/Claimant(s): Virginia Adele Anderson Date 7/30/92

(A WIDOW WOMAN)

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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

RECEIVED

SEP 8 1993

INSTRUCTIONS

Department of Water Resources

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.

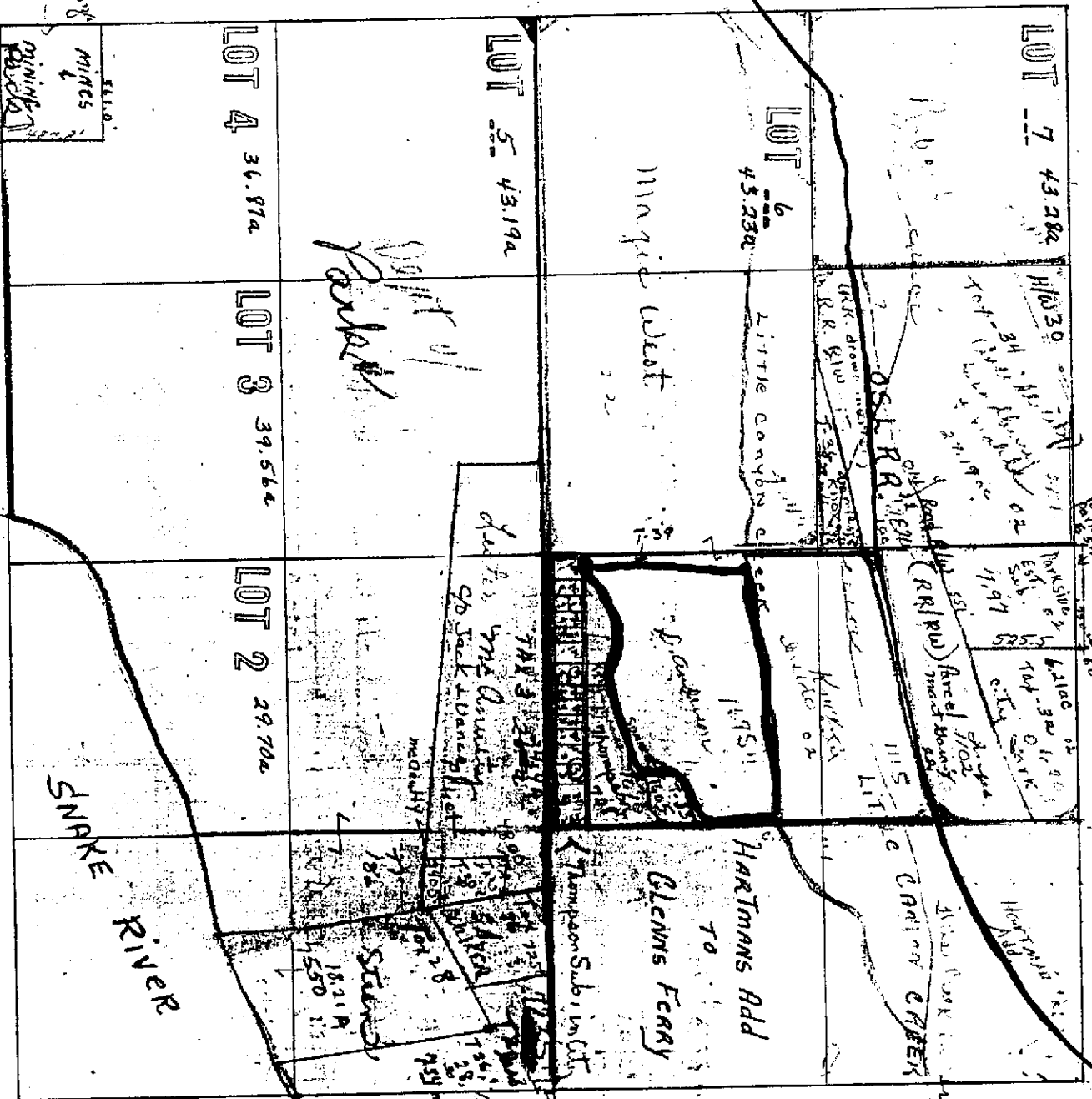
After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only 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.

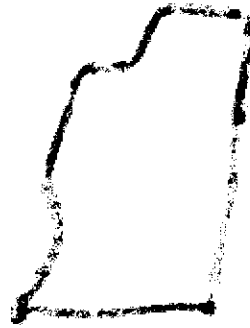
The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

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.

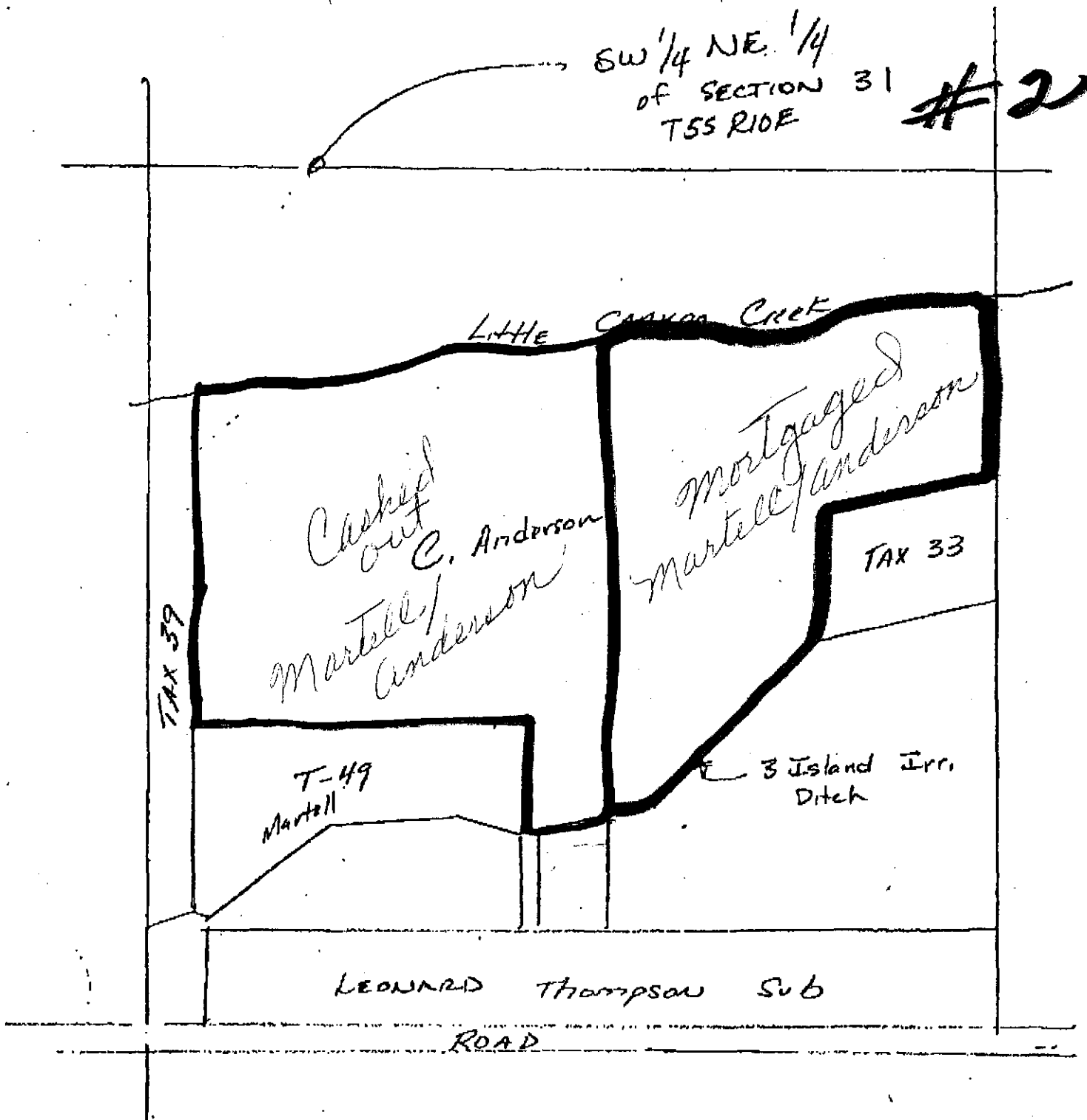
#1



2 Total Cost of Fencing
down fence Row
and



11



J. J. HOWARD
ENGINEERING & SURVEYING
2626 N. 32nd Street
BOISE, IDAHO 83703
(208) 344-0574

LANDS IS 1.0 INCHES/AC., THEREFORE AC. IRR. = 59.

PLACE OF USE:

T05S R10E S31 SWNE
T05S R10E S31 SENW
T05S R10E S31 S31

PRIORITY DATE:
18-Nov-1888

PRIORITY DATE:
18-Nov-1888

PRESENT OWNER:
DON L. ANDERSON

P.O. BOX 423
GLENN FERRY, ID 836230000

COUNTY: ELMORE
SOURCE: LITTLE CANYON CREEK
WATER USE: IRRIGATION

TRIBUTARY: SNAKE RIVER

DIVERSION-RATE:

0.340 CFS
TOTAL RATE: 0.340 CFS

DIVERSION-VOLUME: 0.00 AF
TOTAL VOLUME: 0.00 AF

REMARKS: FOR USE ON THE CORNER PRE-EMPTION.

DECREE STATES THAT QUANTITY OF WATER NECESSARY TO IRR. SAID
LANDS IS 1.0 INCHES/AC., THEREFORE AC. IRR. = 17.

PLACE OF USE:
T05S R10E S31 SWNE
T05S R10E S31 SENW
T05S R10E S31 S31

PRIORITY DATE:
2-May-1892

PRIORITY DATE:
2-May-1892

PRESENT OWNER:
RICHARD P. VINER

RT. 1 BOX 420
GLENN FERRY, ID 836230000

COUNTY: ELMORE
SOURCE: LITTLE CANYON CREEK
WATER USE: IRRIGATION

TRIBUTARY: SNAKE RIVER

DIVERSION-RATE:

0.500 CFS
TOTAL RATE: 0.500 CFS

DIVERSION-VOLUME: 0.00 AF
TOTAL VOLUME: 0.00 AF

REMARKS: FOR USE ON THE EMMA D. GLENN DESERT CLAIM.

DECREE STATES THAT QUANTITY OF WATER NECESSARY TO IRR. SAID
LANDS IS 1.0 INCHES/AC., THEREFORE AC. IRR. = 25.

PLACE OF USE:
T05S R10E S18 SWNE
T05S R10E S18 NESE
T05S R10E S18 NWSE
T05S R10E S18 S31
T05S R10E S18 SESE

PRIORITY DATE:
3-May-1892

PRIORITY DATE:
3-May-1892

PRESENT OWNER:
SAMUEL M. JOHN

C. J. RUSSELL
RT. 1 BOX 435
GLENN FERRY, ID 836230000

COUNTY: ELMORE
SOURCE: LITTLE CANYON CREEK
WATER USE: IRRIGATION

TRIBUTARY: SNAKE RIVER

DIVERSION-RATE:

0.400 CFS
TOTAL RATE: 0.400 CFS

DIVERSION-VOLUME: 0.00 AF
TOTAL VOLUME: 0.00 AF

REMARKS: FOR USE ON THE G. P. GLENN DESERT CLAIM.

DECREE STATES THAT QUANTITY OF WATER NECESSARY TO IRR. SAID
LANDS IS 1.0 INCHES/AC., THEREFORE AC. IRR. = 20.

PLACE OF USE:
T05S R10E S19 NESW
T05S R10E S19 SESW
T05S R10E S19 NESE
T05S R10E S19 NWSE

Water district
assessment has
not been paid for

PERMIT HOLDERS EXPENSE FOR 2 WEEKS. 1967. IN WHICH THE P/D LIES.
NEWSPAPER OF THE CNTY.

POINT OF DIVERSION: T055 R09E S36 NENW
PLACE OF USE: T055 R09E S36 SWNE AC 38
T055 R09E S36 SWNW AC 30
T055 R09E S36 SENW AC 40
T055 R09E S36 NESW AC 05
T055 R09E S36 AC 10
T055 R09E S36 NWSW AC 05
T055 R09E S36 NWSE AC 05
TOTAL ACRES: 128

WR-NUMBER: 61-4079
CURRENT OWNER: LEE T. TRAIL
P.O. BOX 66
KING HILL, ID 83633
PRIORITY DATE: 1-Apr-1967
STAGE: STATUTORY CLAIM

COUNTY: ELMORE
SOURCE: LITTLE CANYON CREEK
WATER USE: IRRIGATION
IRRIGATION STORAGE
IRRIGATION FROM STORAGE
TOTAL RATE: 0.710 CFS
TRIBUTARY: SNAKE RIVER
DIVERSION-RATE: 0.710 CFS
DIVERSION-VOLUME: 0.00 AF
141.00 AF
141.00 AF
TOTAL VOLUME: 141.00 AF

REMARKS: STORAGE UNDER THIS RT. AND 61-2228 SHALL NOT EXCEED 1266 AF.

POINT OF DIVERSION: T045 R10E S28 WNW
PLACE OF USE: T055 R09E S21 NENE AC 07
T055 R09E S21 NWNE AC 40
TOTAL ACRES: 47

WR-NUMBER: 61-7011
PRESENT OWNER: DON L. ANDERSON
P.O. BOX 423
GLENN FERRY, ID 836230000
PRIORITY DATE: 9-Nov-1967
STAGE: LICENSE

COUNTY: ELMORE
SOURCE: LITTLE CANYON CREEK
WATER USE: IRRIGATION
TOTAL RATE: 0.080 CFS
TRIBUTARY: SNAKE RIVER
DIVERSION-RATE: 0.080 CFS
DIVERSION-VOLUME: 18.00 AF
TOTAL VOLUME: 18.00 AF

REMARKS: LIC. INCORRECTLY SHOWS PERIOD OF USE FROM 4/1 TO 10/31.

POINT OF DIVERSION: T055 R10E S31 SWNE
PLACE OF USE: T055 R10E S31 SWNE AC 04
TOTAL ACRES: 4

WR-NUMBER: 61-7039
PRESENT OWNER: DON L. ANDERSON
P.O. BOX 423
GLENN FERRY, ID 836230000
PRIORITY DATE: 29-Jul-1968
STAGE: LICENSE

COUNTY: ELMORE
SOURCE: LITTLE CANYON CREEK
WATER USE: IRRIGATION
TOTAL RATE: 0.070 CFS
TRIBUTARY: SNAKE RIVER
DIVERSION-RATE: 0.070 CFS
DIVERSION-VOLUME: 9.00 AF
TOTAL VOLUME: 9.00 AF

REMARKS: LIC. INCORRECTLY SHOWS PERIOD OF USE FROM 4/1 TO 10/15.

POINT OF DIVERSION: T055 R10E S31 SWNE

Order No. FA-4538

WARRANTY DEED

FOR VALUE RECEIVED

VIRGINIA ADELE ANDERSON, a widow

GRANTOR(S), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

JAMES R. MARTELL and CARMELA M. MARTELL, husband and wife

GRANTEE(S) whose address is: P.O. Box 540, Glens Ferry, Idaho 83623

the following described real property in ELMORE County, Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

269480

ELMORE COUNTY, IDAHO, ss
Request of FIRST AMERICAN

Time 4:16 P. M.

Date July 9, 1992

Book of

Page DOLORES ROBLSON

By Martha D. Jackson
Deputy

Fee \$900

Subject To: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 9, 1992

Virginia Adele Anderson
VIRGINIA ADELE ANDERSON

State of Idaho

County of Elmore

On this July 9, 1992, before me, a notary public in and for said State, personally appeared VIRGINIA ADELE ANDERSON, a widow, personally known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Notary Public

Residing at Mountain Home, Idaho

Commission Expires: 4-29-98

EXHIBIT "A"

PARCEL I:

A parcel of land located in the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the south line of said NE¼ to the Center ¼ corner; thence, North 0°33'08" East 153.20 feet; thence North 56°06'17" East 71.03 feet to a point on a north-south fence line, the REAL POINT OF BEGINNING; thence North 0°15'53" West 284.94 feet along said north-south fence line; thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek, said point being witnessed by a steel pin that bears South 1°07'40" East 40.00 feet; thence South 85°19'01" East 136.41 feet along said centerline to a point being witnessed by a steel pin that bears South 6°10'25" East 10.00 feet; thence North 68°45'02" East 123.57 feet along said centerline to a point being witnessed by a steel pin that bears South 3°31'25" West 16.00 feet; thence North 85°35'36" East 197.79 feet along said centerline to a point being witnessed by steel pin that bears South 18°26'05" West 20.00 feet; thence North 76°11'15" East 194.78 feet along said centerline to a point being witnessed by a steel pin that bears South 0°01'05" West 14.00 feet; thence leaving said centerline South 0°01'05" West 779.30 feet to a point; thence South 73°57'55" West 124.75 feet to a point; thence North 0°01'34" West 152.25 feet to a point; thence North 85°16'54" West 167.65 feet to a point; thence South 89°42'16" West 339.28 feet to the REAL POINT OF BEGINNING.

PARCEL II:

A parcel of land located in the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the south line of said NE¼ to the Center ¼ corner; thence North 0°33'08" East 153.20 feet; thence North 56°06'17" East 71.03 feet to a point on a north-south fence line; thence North 0°15'53" West 284.94 feet along said north-south fence line; thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek; thence continuing along said centerline the following courses and distances: South 85°19'01" East 136.41 feet;

EXHIBIT "A" CONTINUED

thence North 68°45'02" East 123.57 feet; thence North 85°35'36" East 197.79 feet; thence North 76°11'15" East 194.78 feet; thence leaving said centerline, South 0°01'05" West 805.31 feet to the REAL POINT OF BEGINNING; thence continuing South 0°01'05" West 28.77 feet; thence North 89°58'55" West 100.00 feet; thence North 73°57'55" East 104.06 feet to the REAL POINT OF BEGINNING.

Order No. FA-4538

WARRANTY DEED

FOR VALUE RECEIVED

VIRGINIA ADELE ANDERSON, a widow

GRANTOR(S), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

JAMES R. MARTELL and CARMELA M. MARTELL, husband and wife

GRANTEE(S) whose address is: P.O. Box 540, Glenns Ferry, Idaho 83623

the following described real property in ELMORE County, Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

#6
269479

ELMORE COUNTY, IDAHO, ss

Request of

FIRST AMERICAN

Time 4:15 P.M.

Date July 9, 1992

Book _____ of _____

Page _____

DOLORES ROBISON

By Merla Robison

Deputy

Fee \$12.00

Subject To: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 9, 1992

Virginia Adele Anderson
VIRGINIA ADELE ANDERSON

State of Idaho

County of Elmore

On this July 9, 1992, before me, a notary public in and for said State, personally appeared VIRGINIA ADELE ANDERSON, a widow, personally known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

[Signature]
Notary Public
Residing at Mountain Home, Idaho
Commission Expires: 4-29-98

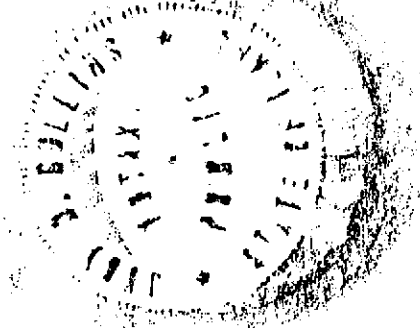


EXHIBIT "A"

The Southwest Quarter of the Northeast Quarter lying North of the Three Island State Farm Irrigation Ditch, Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho.

SAVING AND EXCEPTING the following described parcels of land:

PARCEL I:

All of that portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, lying North of the center line of Little Canyon Creek. Said creek intersects the East side line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian and runs in a southwesterly direction meandering on contour to its point of intersect with the West side line of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 5 South, Range 10 East, Boise Meridian.

PARCEL II:

A parcel of land situated in the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, described as follows, to-wit:

Commencing at the West Quarter corner of Section 31, Township 5 South, Range 10 East, Boise Meridian; thence South 89°58'55" East along the center line of said Section 31, a distance of 4,105.20 feet to the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 31, thence North 0°14'55" East along the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 31, a distance of 679.84 feet to a point in the centerline of the Three Island State Farm Irrigation Ditch, and being the REAL POINT OF BEGINNING; thence Southwesterly along centerline of said Irrigation Ditch 330.0 feet, more or less; thence North 10°51'30" West, a distance of 164.03 feet; thence North 52°03'14" East, a distance of 51.82 feet; thence North 72°07'54" East, a distance of 299.34 feet to a point on the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 31; thence South 0°14'55" West a distance of 131.14 feet to the REAL POINT OF BEGINNING..

PARCEL III:

A parcel of land located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the Center Section corner of said Section 31, T5S, R10E, B.M., Elmore County, Idaho, and running thence North 0°01' East a distance of 172 feet, more or less, to a point, said point being the REAL POINT OF BEGINNING; running thence in a Northeasterly direction 62.9 feet, more or less, to a point on an existing fence line; running thence Northeasterly along said fence line 600 feet, more or less, to a point on the South Boundary line of Little Canyon Creek; running thence in a Southwesterly direction along Little Canyon Creek 37 feet, more or less, to a point on the

thence North 68°45'02" East 123.57 feet; thence North 85°35'36" East 197.79 feet; thence North 76°11'15" East 194.78 feet; thence leaving said centerline, South 0°01'05" West 805.31 feet to the REAL POINT OF BEGINNING; thence continuing South 0°01'05" West 28.77 feet; thence North 89°58'55" West 100.00 feet; thence North 73°57'55" East 104.06 feet to the REAL POINT OF BEGINNING.

PARCEL VI:

A parcel of land being a portion of the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Comencing at a Brass Cap marking the Quarter Corner common to Sections 31 and 32, Township 5 South, Range 10 East, B.M., Elmore County, Idaho; thence North 89°58'55" West 2667.60 feet along the south line of the Northeast Quarter of said Section 31 to a Brass Cap marking the Center Quarter Corner of said Section 31; thence North 0°33'08" East 153.20 feet to a point; thence North 56°06'17" East 71.03 feet to a point on the centerline of the Three Island Ditch, said point being the REAL POINT OF BEGINNING; thence leaving said centerline North 0°15'53" West 284.94 feet; thence North 89°42'16" East 339.28 feet; thence South 85°16'54" East 167.65 feet; thence South 0°01'34" East 152.25 feet to a point on the said centerline of the Three Island Ditch; thence
Along said centerline the following courses and distances:
North 70°24'00" West 98.00 feet; thence
South 88°25'51" West 192.19 feet; thence
South 56°06'17" West 265.85 feet to the REAL POINT OF BEGINNING.

North-South Center Section line of said Section 31; running thence South 0°01' West along said Section line a distance of 600 feet, more or less, to the POINT OF BEGINNING.

PARCEL IV:

A parcel of land located in the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the south line of said NE $\frac{1}{4}$ to the Center $\frac{1}{4}$ corner; thence, North 0°33'08" East 153.20 feet; thence North 56°06'17" East 71.03 feet to a point on a north-south fence line, the REAL POINT OF BEGINNING; thence North 0°15'53" West 284.94 feet along said north-south fence line; thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek, said point being witnessed by a steel pin that bears South 1°07'40" East 40.00 feet; thence South 85°19'01" East 136.41 feet along said centerline to a point being witnessed by a steel pin that bears South 6°10'25" East 10.00 feet; thence North 68°45'02" East 123.57 feet along said centerline to a point being witnessed by a steel pin that bears South 3°31'25" West 16.00 feet; thence North 85°35'36" East 197.79 feet along said centerline to a point being witnessed by steel pin that bears South 18°26'05" West 20.00 feet; thence North 76°11'15" East 194.78 feet along said centerline to a point being witnessed by a steel pin that bears South 0°01'05" West 14.00 feet; thence leaving said centerline South 0°01'05" West 779.30 feet to a point; thence South 73°57'55" West 124.75 feet to a point; thence North 0°01'34" West 152.25 feet to a point; thence North 85°16'54" West 167.65 feet to a point; thence South 89°42'16" West 339.28 feet to the REAL POINT OF BEGINNING.

PARCEL V:

A parcel of land located in the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the south line of said NE $\frac{1}{4}$ to the Center $\frac{1}{4}$ corner; thence North 0°33'08" East 153.20 feet; thence North 56°06'17" East 71.03 feet to a point on a north-south fence line; thence North 0°15'53" West 284.94 feet along said north-south fence line; thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek; thence continuing along said centerline the following courses and distances: South 85°19'01" East 136.41 feet;



A61-00295B

RECEIVED JAN 22 1999

Form 42-248/42-1409(6) February 3, 1997

RECEIVED
JAN 25 1999
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right No(s): 61-00295; 61-07039
Adjudication Claim No(s): A61-00295; A61-07039

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

- ☒ A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
☒ B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant JAMES R MARTELL AND CARMELA M MARTELL
PO BOX 540
GLENNS FERRY ID 83623

4. New Owner/Claimant(s) THREE ISLAND LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
c/o ROGER L JONES
New Mailing Address PO BOX 475

City, State and ZIP Code RUPERT ID 83350

New Telephone Number (208) 436-3126

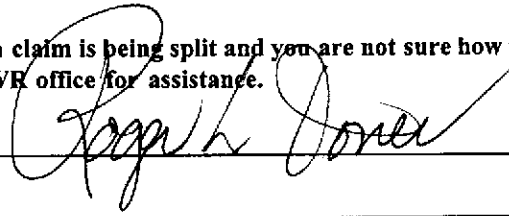
5. Date you acquired the property JUNE 26, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other Uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contact IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or', or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right; include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83701-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(209) 525-7161

ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

To the Secretary of State of Idaho
700 W Jefferson, Basement West
PO Box 83720
Boise, Idaho 83720-0080



1. The name of the limited liability company is: Three Island LLC
2. The address of the initial registered office is: 795 W. Madison, Glenns Ferry, Idaho
(not a PO Box)
83623 and the name of the initial registered agent at that address is: Roger L. Jones
- Signature of registered agent: *Roger L. Jones*
3. The latest date certain on which the limited liability company will dissolve: December 31, 2039
4. Is management of the limited liability company vested in a manager or managers?
☒ Yes ☐ No (check appropriate box)
5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:

Address:

Roger L. Jones

795 W. Madison, Glenns Ferry, ID 83623

6. Signature of at least one person listed in #5 above:

Bv: *Roger L. Jones*
Roger L. Jones

ENTERED
JUL 6 1997

IDAHO SECRETARY OF STATE
DATE 06/09/1997
0900 100118 2
CK #: 5352 CUST# 75532
ORGAN LLC 10 100.00= 100.00

#: c W4182

WARRANTY DEED

FOR VALUE RECEIVED, James R. Martell and Carmela M. Martell, husband and wife, GRANTORS, do hereby GRANT, BARGAIN, SELL AND CONVEY unto Three Island LLC, an Idaho Limited Liability Company, GRANTEE, whose current address is: c/o Roger L. Jones, 795 W. Madison, Glenns Ferry, Idaho, 83623, that certain parcel of real property in Elmore County, State of Idaho, more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof as though fully set forth herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that the said premises are free from all encumbrances, except as a matter of record, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED This 26th day of June, 1997.

"GRANTORS"

James R. Martell
James R. Martell
Carmela M. Martell
Carmela M. Martell

STATE OF IDAHO)
): ss
County of ELMORE)

On this 26th day of June, 1997, before me, the undersigned, a notary public in and for said state, personally appeared James R. Martell and Carmela M. Martell, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing document, and who acknowledged to me that they executed the same.

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

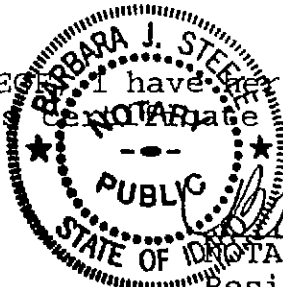

Barbara J. Steele
NOTARY PUBLIC FOR IDAHO
Residing at MOUNTAIN HOME
Commission Expires 11-4-98

Exhibit A

Parcel V

The Southwest Quarter of the Northeast Quarter lying North of the Three Island State Farm Irrigation Ditch, Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho.

SAVING AND EXCEPTING the following described parcels of land:

Tract I:

All of that portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, lying North of the center line of Little Canyon Creek. Said creek intersects the East side line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian and runs in a southwesterly direction meandering on contour to its point of intersect with the West side line of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 5 South, Range 10 East, Boise Meridian.

Tract II:

A parcel of land situated in the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, described as follows, to-wit:

Commencing at the West Quarter corner of Section 31, Township 5 South, Range 10 East, Boise Meridian; thence South 89°58'55" East along the center line of said Section 31, a distance of 4,105.20 feet to the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 31, thence North 0°14'55" East along the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 31, a distance of 678.84 feet to a point in the centerline of the Three Island State Farm Irrigation Ditch, and being the REAL POINT OF BEGINNING; thence Southwesterly along centerline of said Irrigation Ditch 330.0 feet, more or less; thence North 10°51'30" West, a distance of 164.03 feet; thence North 52°03'14" East, a distance of 51.82 feet; thence North 72°07'54" East, a distance of 299.34 feet to a point on the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 31; thence South 0°14'55" West a distance of 131.14 feet to the REAL POINT OF BEGINNING.

Tract III:

A parcel of land located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the Center Section corner of said Section 31, T5S, R10E, B.M., Elmore County, Idaho, and running thence North 0°01' East a distance of 172 feet, more or less, to a point, said point being the REAL POINT OF BEGINNING; running thence in a Northeasterly direction 62.9 feet, more or less, to a point on an existing fence line; running thence Northeasterly along said fence line 600 feet, more or less, to a point on the South Boundary line of Little Canyon Creek; running thence in a Southwesterly direction along Little Canyon Creek 37 feet, more or less, to a point on the North-South Center Section line of said Section 31; running thence South 0°01' West along said Section line a distance of 600 feet, more or less, to the POINT OF BEGINNING.

Exhibit A

Tract IV:

A parcel of land located in the Northeast Quarter of Section 31, Township 6 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the south line of said NE¼ to the Center ¼ corner; thence North 0°33'08" East 153.20 feet; thence North 56°06'17" East 71.03 feet to a point on a north-south fence line, the REAL POINT OF BEGINNING; thence North 0°15'53" West 284.94 feet along said north-south fence line; thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek, said point being witnessed by a steel point that bears South 1°07'40" East 40.00 feet; thence South 85°19'01" East 136.41 feet along said centerline to a point being witnessed by a steel pin that bears South 6°10'25" East 10.00 feet; thence North 68°45'02" East 123.57 feet along said centerline to a point being witnessed by a steel pin that bears South 3°31'25" West 16.00 feet; thence North 85°35'36" East 197.79 feet along said centerline to a point being witnessed by a steel pin that bears South 18°26'05" West 20.00 feet; thence North 76°11'15" East 194.78 feet along said centerline to a point being witnessed by a steel pin that bears South 0°01'05" West 14.00 feet; thence leaving said centerline South 0°01'05" West 779.30 feet to a point; thence South 73°57'55" West 124.75 feet to a point; thence North 0°01'34" West 152.25 feet to a point; thence North 85°16'54" West 167.65 feet to a point; thence South 89°42'16" West 339.28 feet to the REAL POINT OF BEGINNING.

Tract V:

A parcel of land located in the Northeast Quarter of Section 31, Township 6 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particular described as follows:

Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the south line of said NE¼ to the Center ¼ corner; thence North 0°33'08" East 153.20 feet; thence North 56°06'17" East 71.03 feet to a point on the north-south fence line; thence North 0°15'53" West 284.94 feet along said north-south fence line; thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek; thence continuing along said centerline the following courses and distances: South 85°19'01" East 136.41 feet; thence North 68°45'02" East 123.57 feet; thence North 85°35'36" East 197.79 feet; thence North 76°11'15" East 194.78 feet; thence leaving said centerline, South 0°01'05" West 805.31 feet to the REAL POINT OF BEGINNING; thence continuing South 0°01'05" West 28.77 feet; thence North 89°58'55" West 100.00 feet; thence North 73°57'55" East 104.06 feet to the REAL POINT OF BEGINNING.

Tract VI:

A parcel of land being a portion of the Southwest Quarter of the Northeast Quarter of Section 31, Township 6 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at a Brass Cap marking the Quarter Corner common to Sections 31 and 32, Township 6 South, Range 10 East, B.M., Elmore County, Idaho; thence North 89°58'55" West 2667.60 feet along the south line of the Northeast Quarter of said Section 31 to a Brass Cap marking the Center Quarter corner of said Section 31; thence North 0°33'08" East 153.20 feet to a point; thence North 56°06'17" East 71.03 feet to a point on the centerline of the Three Island Ditch, said point being the REAL POINT OF BEGINNING; thence leaving said centerline North 0°15'53" West 284.94 feet; thence North 89°42'16" East 339.28 feet; thence South 85°16'54" East 167.65 feet; thence South 0°01'34" East 152.25 feet to a point on the said centerline of the Three Island Ditch; thence Along said centerline the following courses and distances: North 70°24'00" West 98.00 feet; thence South 88°25'51" West 192.18 feet; thence South 56°06'17" West 265.85 feet to the REAL POINT OF BEGINNING.

Exhibit A

Tract VII:

A parcel of land lying in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, T5S, R10E, B.M., Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the Center $\frac{1}{4}$ Corner of Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence South 89°58'55" East 1333.84 feet to an Iron pin marking the East 1/16 Corner of said Section 31; thence North 22°45'42" West 679.32 feet to the REAL POINT OF BEGINNING;
thence South 64°27'48" West 283.34 feet;
thence North 21°01'08" West 176.30 feet;
thence North 66°58'33" East 292.09 feet;
thence South 17°43'23" East 164.47 feet to the REAL POINT OF BEGINNING.

WARRANTY DEED

FOR VALUE RECEIVED, James R. Martell and Carmela M. Martell, husband and wife, GRANTORS, do hereby GRANT, BARGAIN, SELL AND CONVEY unto Three Island LLC, an Idaho Limited Liability Company, GRANTEE, whose current address is: c/o Roger L. Jones, 795 W. Madison, Glenns Ferry, Idaho, 83623, that certain parcel of real property in Elmore County, State of Idaho, more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof as though fully set forth herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that the said premises are free from all encumbrances, except as a matter of record, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED This 26th day of JUNE, 1997.

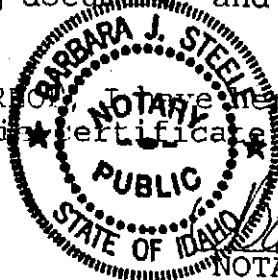
"GRANTORS"

James R. Martell
James R. Martell
Carmela M. Martell
Carmela M. Martell

STATE OF IDAHO)
County of ELMORE : ss

On this 26th day of June, 1997, before me, the undersigned, a notary public in and for said state, personally appeared James R. Martell and Carmela M. Martell, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing document, and who acknowledged to me that they executed the same.

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



Barbara J. Steele
NOTARY PUBLIC FOR IDAHO
Residing at MOUNTAIN HOME
Commission Expires 11-4-98

Exhibit A

Parcel I

The Southwest Quarter of the Northeast Quarter of Section Thirty-One, Township Five South, Range Ten East, Boise Meridian, Elmore County, Idaho.

SAVE AND EXCEPT:

A parcel of land lying and being in the Southwest Quarter of the Northeast Quarter of Section 31, Township 6 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of Lot 2, Block 2 of the LEONARD THOMPSON ADDITION to the City of Glenss Ferry, County of Elmore, State of Idaho, running thence North a distance of 106 feet to a point which is marked by a steel stake driven in the ground with one file mark on the upper six inches of the stake, running thence Westerly a distance of 100 feet to a point marked by a steel stake with two file marks within six inches of the top, running thence South a distance of 106 feet to a point which is the Northwest Corner of Lot 2, Block 2 of the LEONARD THOMPSON ADDITION TO THE CITY OF GLENN'S FERRY, Idaho, running thence East a distance of 100 feet coincident with and parallel to the North sideline of Lot 2 of the LEONARD THOMPSON ADDITION to the City of Glenss Ferry, Idaho, which is the point of beginning.

AND SAVE AND EXCEPT:

All of that portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, lying North of the Three Island State Farm Irrigation Ditch which intersects the East side line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, approximately 589 feet North of the SE corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and runs in a southerly direction (meandering on contour) to its point of intersect with the West side line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho.

AND SAVE AND EXCEPT:

LEONARD THOMPSON ADDITION to the City of Glenss Ferry, Elmore County, Idaho, according to the official plat thereof, filed for record in Book 2 of Plats at Page 58, in the office of the County Recorder, Elmore County, Idaho.

AND SAVE AND EXCEPT:

A portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Beginning at an iron pin marking the Southeast corner of the said SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31; thence North 89°58'55" West 148.43 feet along the Southerly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31 to a point, said point being on the projection of the Easterly lot line of Lot 3 in Block 3 of the LEONARD THOMPSON ADDITION, a subdivision, as filed for record in the office of the Elmore County, Idaho recorder; thence leaving said Southerly boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, North 00°03'20" East 181.83 feet along said projection of the Easterly lot line of Lot 3 to an iron pin on the Northerly boundary of said LEONARD THOMPSON ADDITION, said iron pin being the REAL POINT OF BEGINNING; thence continuing North 00°03'20" East 78.00 feet to an iron pin; thence South 87°43'40" East 151.60 feet to an iron pin on the

Exhibit A

[Parcel] - Continued

Easterly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31; thence South 00°44'44" West 72.36 feet along the Easterly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31 to an iron pin on said Northerly boundary of LEONARD THOMPSON ADDITION; thence leaving said Easterly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, North 89°51'44" West 150.62 feet along said Northerly boundary of LEONARD THOMPSON ADDITION to the Point of Beginning.

SAVE AND EXCEPT

A parcel of land being a portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the $\frac{1}{4}$ corner common to Sections 31 and 32, T5S, R10E, B.M., Elmore County, Idaho; thence North 89°58'55" West 2667.60 feet along the south line of the NE $\frac{1}{4}$ of Section 31 to a Brass Cap marking the Center $\frac{1}{4}$ Corner of said Section 31; thence North 0°33'08" East 153.20 feet; thence North 56°06'17" East 221.60 feet to an iron pin on the centerline of the Three Island Ditch, said point being the REAL POINT OF BEGINNING; thence continuing along said centerline the following courses and distances to iron pins;

North 56°06'17" East 115.28 feet; thence

North 88°25'51" East 192.19 feet; thence

South 70°24'00" East 98.00 feet; thence leaving said centerline,

South 73°57'55" West 0.12 feet to an iron pin; thence

South 0°01'05" West 131.58 feet to an iron point on the North boundary of the LEONARD THOMPSON ADDITION to the City of Glenns Ferry, as filed for record in the office of the Elmore County Recorder, Mountain Home, Idaho; thence along said north boundary

North 89°58'55" West 300.00 feet; thence leaving said north boundary

North 0°01'05" East 94.83 feet to the REAL POINT OF BEGINNING.

Less the following:

Commencing at the Brass Cap marking the Quarter corner common to Sections 31 and 32, T5S, R10E, B.M., Elmore County, Idaho, thence North 89°58'55" West 2667.50 feet along the south line of the Northeast $\frac{1}{4}$ of said Section 31, to a brass cap marking the center Quarter Corner of Section 31, thence N 0°33'08" E 153.20 feet, thence N 56°06'17" E 115.28 feet to an iron pin, thence S 0°01'05" W 10.82 feet to an iron pin; thence S 89°58'55" E 124.96 feet to an iron pin, said point being the REAL POINT OF BEGINNING;

thence N 0°01'05" E 94.83 feet; thence N 56°06'17" E 115.28 feet; thence N 88°25'51" E 192.19 feet, thence S 70°24'00" E 98.00 feet; thence S 73°57'55" W 0.12 feet; thence S 0°01'05" W 131.58 feet to an iron pin on the north boundary of L THOMPSON ADDITION to the City of Glenns Ferry thence N 89°58'55" W 12 feet; thence N 0°01'05" E 102.82 feet; thence S 77°06'37" W 216.89 feet; thence S 70°51'58" W 165.77 feet to the POINT OF BEGINNING.

SAVE AND EXCEPT

A parcel of land being a portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Commencing at a Brass Cap marking the East $\frac{1}{4}$ Corner of the Northeast $\frac{1}{4}$ of Section 31, T5S, R10E, B.M., Elmore County, Idaho; thence N 89°58'55" W 2667.60 feet along the south line of said Northeast

Exhibit A

Parcel I - Continued

¼ of Section 31 to a Brass Cap marking the Center ¼ Corner of said Section 31, said point being the REAL POINT OF BEGINNING;
thence, N 0°33'08" E 153.20 feet along the west line of said Northeast ¼ of Section 31 to a point on the centerline of Three Island Ditch;
thence, N 66°06'17" E 70.98 feet along said centerline of ditch to a point;
thence leaving said centerline of ditch and along the west right-of-way line of Cheyenne St., S 0°01'05" W 192.79 feet to a point on the said south line of the Northeast ¼ of Section 31;
thence along said south line, N 89°58'55" W 60.33 feet to the REAL POINT OF BEGINNING.

SAVE AND EXCEPT

Commencing at the Northeast Corner of Lot 2 in Block 2 of the LEONARD THOMPSON ADDITION to the City of Glenns Ferry, County of Elmore, State of Idaho, running thence North a distance of 106 feet to a point which is marked by a steel stake driven in the ground with one file mark on the upper six inches of the stake, running thence Westerly a distance of 100 feet to a point marked by a steel stake with two file marks within six inches of the top, running thence South a distance of 106 feet to a point which is the Northwest corner of Lot 2 in Block 2 of the LEONARD THOMPSON ADDITION to the City of Glenns Ferry, running thence East a distance of 100 feet coincident with and parallel to the North sideline of Lot 2 in Block 2 of the LEONARD THOMPSON ADDITION to the City of Glenns Ferry, Idaho, which is the point of beginning. Subject to the easement of Right of Way for the existing alley.

SAVE AND EXCEPT

A parcel of land being 20 foot wide and being a portion of the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly describe as follows:

Commencing at the Southeast Corner of Lot 1 in Block 2 of the LEONARD THOMPSON ADDITION to the City of Glenns Ferry, Elmore County, Idaho, according to the official plat thereof, on file and of record in the office of the County Recorder, Elmore County, Idaho; thence North 00°01'05" East, 132.00 feet along the east line of said Lot 1 in Block 2, and an extension thereof, to a point on the north boundary of said LEONARD THOMPSON ADDITION, said point being the REAL POINT OF BEGINNING;
thence North 89°58'55" West 20.00 feet along said north line of the LEONARD THOMPSON ADDITION;
thence North 00°01'05" East 105.57 feet to a point on the south right-of-way of Three Island Ditch; thence along said south right-of-way of Three Island Ditch, North 73°57'55" East 20.81 feet; thence leaving said right-of-way, South 00°01'05" West 111.33 feet along the extension of the said east line of Lot 1 in Block 2 of the LEONARD THOMPSON ADDITION, to the REAL POINT OF BEGINNING.

SAVE AND EXCEPT

A parcel of land being a portion of the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of Lot 1 in Block 2 of the LEONARD THOMPSON ADDITION to the City of Glenns Ferry, Elmore County, Idaho, according to the official plat thereof, on file and of record in the office of the County Recorder, Elmore County, Idaho; thence North 00°01'05" East 226.00 feet along the east line of said Lot 1 in Block 2, and an extension thereof, to a point, said point being the REAL

Exhibit A

Parcel I - Continued

POINT OF BEGINNING; thence continuing North 00°01'05" East 17.33 feet to a point on the south right-of-way of Three Island Ditch; thence Along said right-of-way, North 73°57'55" East 104.06 feet; thence leaving said south right-of-way, South 00°01'05" West 46.10 feet; thence North 89°58'55" West 100.00 feet to the REAL POINT OF BEGINNING.

Exhibit A

SAVE AND EXCEPT

A parcel of land located in the Northeast Quarter of Section 31, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows: Beginning at the Center East 1/16 corner of said Section 31; thence North 89°58'55" West 1333.86 feet along the south line of said NE 1/4 to the Center 1/4 corner; thence North 0°33'08" East 153.20 feet; thence North 56°08'17" East 71.03 feet to a point on a north-south fence line; thence North 0°15'53" West 284.94 feet along said north-south fence line; thence North 1°07'40" West 554.23 feet along said north-south fence line to a point on the centerline of Little Canyon Creek; thence continuing along said centerline the following courses and distances: South 85°19'01" East 136.41 feet; thence North 68°45'02" East 123.67 feet; thence North 85°35'36" East 197.79 feet; thence North 76°11'15" East 194.78 feet; thence leaving said centerline, South 0°01'05" West 805.31 feet to the REAL POINT OF BEGINNING; thence continuing South 0°01'05" West 28.77 feet; thence North 89°58'55" West 100.00 feet; thence North 73°57'55" East 104.06 feet to the REAL POINT OF BEGINNING.

SW⁴NE⁴

SW⁴NE⁴

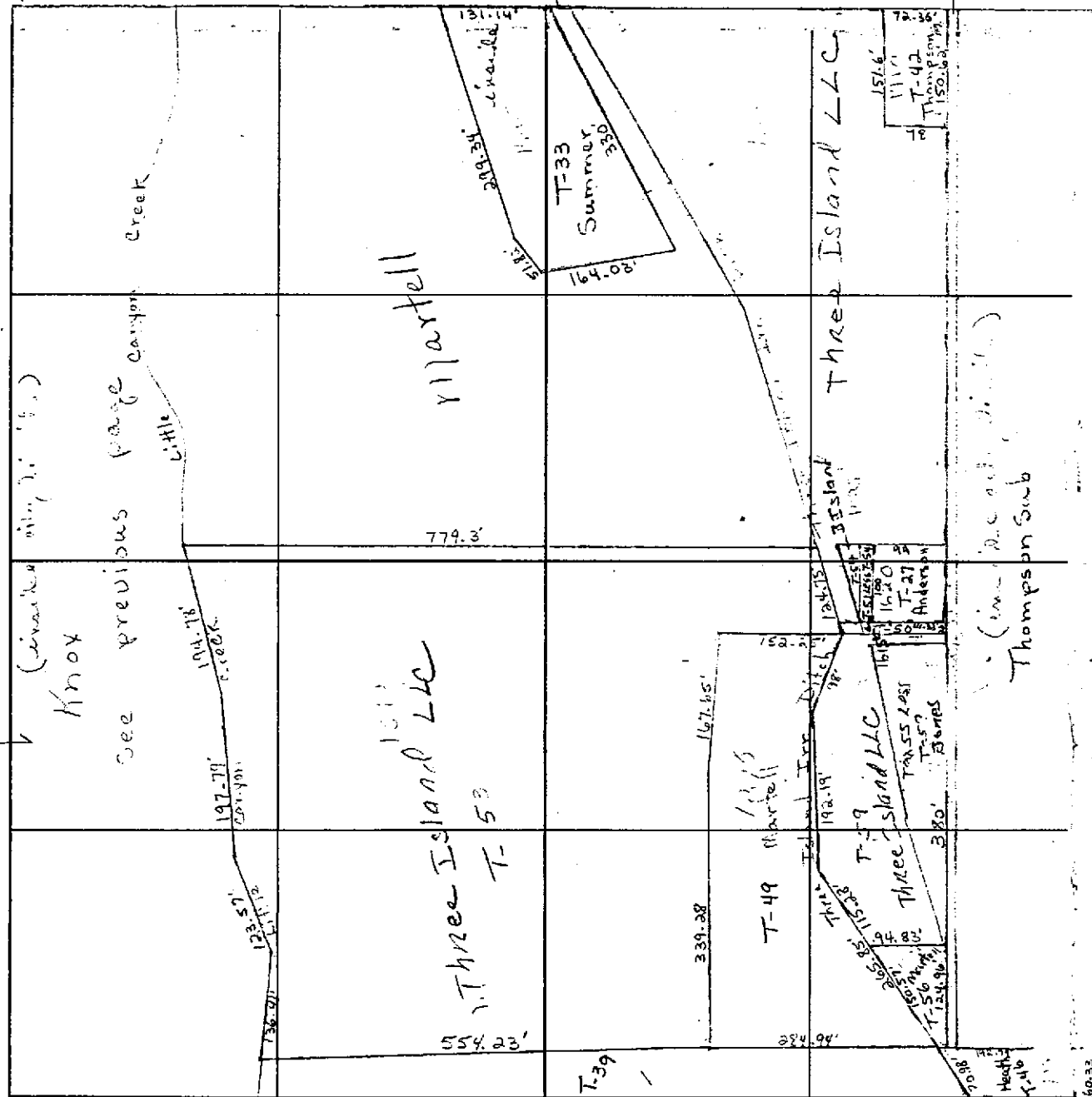
Section 31

Township_

55

Range-

10 E



Center
1/4 corner

Western

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4479
WATER RIGHT NO. 61-00295

RECEIVED
JAN 22 1999
WATER RESOURCES
WESTERN REGION

This is to certify that: **JAMES R MARTELL**
PO BOX 969
GLENNS FERRY ID 83623

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.34 CFS	68.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE CANYON CREEK	SNAKE RIVER

Priority: 11/18/1888

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 31, Township 05S, Range 10E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	10E	31	SWNE	17		17
Total number of acres irrigated:						17

CONDITIONS OF APPROVAL AND REMARKS

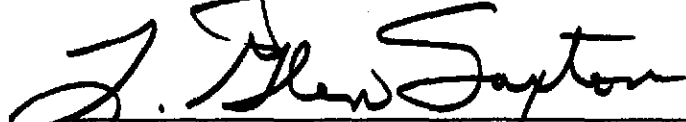
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 61D.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.

TRANSFER NO. 4479
WATER RIGHT NO. 61-00295

CONDITIONS OF APPROVAL AND REMARKS

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Approval of Transfer 4479 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 21st day of January, 1999.


Chief, Water Allocation Bureau

Water Right Number - A61-00295 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT

1 -
2 -
3 -

City- X State- ID Zip- 0
Phone - 208-436-3126

*** O - ORIGINAL OWNER ***
CORKER

C. E.

1 -
2 -
3 -

City- RUPERT State- ID Zip- 83350
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/18/1888 14 WESTERN 1 - - - - Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
LITTLE CANYON CREEK SNAKE RIVER
SPLIT RIGHT

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

05S 10E 31 SW NW 6 (39) ELMORE

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code 01 - IRRIGATION 04/01 11/01 0.340

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.340 51.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
05S 10E 31 SW NE 5.7 01 IRRIGATION (39) ELMORE
05S 10E 31 SW NW 5.7 01 IRRIGATION (39) ELMORE
05S 10E 31 SE NW 5.7 01 IRRIGATION (39) ELMORE
Total Acres: 17.1

+ - - Diversion Means - PUMP, PIPELINE, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A61-00294

Water right number - A61-00295 Prefix Translation: ADJUDICATION CLAIM

----- Remarks -----

GEN THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A61-00295A, MAGIC WEST, 0.34 CFS ON 17.0 ACRES
A61-00295B, ANDERSON, 0.34 CFS ON 17.0 ACRES
CLAIM A61-00295A HAS BEEN DISALLOWED - USE RECOGNIZED UNDER NO.
61-00294. CLAIM A61-00295B RECOMMENDED AS RIGHT 61-00295. KV
2/3/99

----- Old Water Right Numbers -----

No Old Water Right Numbers Found

----- Conditions of Approval -----

No Conditions of Approval found.

----- Decree Plaintiff ----- + Decree Date - +
CHARLES E. CORKER T. H. ANTHONY ET. AL. 00/00/0000

----- Comments ----- +
No Comments Found

----- Audit Fields ----- +
02/03/99 KWALKER

----- Adjudication Rights Dates and Flags Area ----- +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/03/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 61D
		PDU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

DATE: 02/03/99
PAGE: 1

DIVERSION RATE
DIVERSION VOLUME

0.34 CFS

TOTAL DIVERSION:

ELMORE County

ES

RIGHT NO. 61-07039 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

AJ0749NP
No. R61-00295

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

DATE: 02/03/99
PAGE: 2

Dates: Exam Made Date: 10/18/1994 Verified Date: 02/03/1999 Objection Filed Date:

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

Comments: Date: 11/07/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
OWNERSHIP CHANGED BY RDH ON 2/24/93.

Date: 11/16/1998 User-ID: KWALKER Subject: RECOMMENDATION
THIS CLAIM WAS FILED UNDER A61-00295B. MAGIC WEST FILED ON A
PORTION OF A61-00295A. THE MARTELS OWN SWNE, S31 AND MAGIC WEST
OWNS S1/2NW, S31. MAGIC WEST'S LANDS ARE COVERED UNDER 61-00294
AND MARTEL SHOULD HAVE ALL OF 61-00295.

Date: 11/21/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 12/18/1998 User-ID: KWALKER Subject: ADDRESS CHANGE
CHANGED THIS ADDRESS PER ONE OF SALLY'S LETTER REQUESTING UPDATE
AND SIGNED BY MR. MARTEL.

Date: 02/03/1999 User-ID: KWALKER Subject: CHANGE TO RECOMMENDATION
CHANGED RECOMMENDATION TO SHOW THE POINT OF DIVERSION CHANGE
UNDER APPROVED TRANSFER NO. 4479, APPROVED 1/21/1999.
CHANGED OWNERSHIP PER REQUEST RECEIVED 1/25/99.

Audit: 02/03/99 KWALKER

ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW

142 3RD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE: (208) 734-0700
FAX: (208) 736-0041

RECEIVED

JAN 25 1999

WATER RESOURCES
WESTERN REGION

DATE: 1/22/1999

TO: ATTENTION OF KAY WALKER

RE: CHANGE OF OWNERSHIP OF 61-00295/A61-00295
and 61-07039/A61-07039

ENCLOSED IS THE SIGNED NOTICE OF CHANGE OF
WATER RIGHT OWNERSHIP ON THE REFERENCED RIGHTS.

I BELIEVE YOU WILL FIND ALL THE ATTACHMENTS
IN ORDER, BUT IF YOU HAVE ANY QUESTIONS, PLEASE
DO NOT HESITATE TO CALL ME.

I'VE ALSO ENCLOSED A COPY OF THE FRONT PAGE
WHICH I WOULD APPRECIATE YOU CONFORMING AND
RETURNING TO ME IN THE ENCLOSED SASE.

THANKS,

CRYSTAL

ROSHOLT, ROBERTSON & TUCKER

BY.....

done
2/3/99
KW →

MEMORANDUM

TO: File 61-00295

FROM: Pam Skaggs²/State Office

SUBJECT: Transfer 4479

ok y

DATE: January 20, 1999

Transfer 4479 changes the point of diversion and identifies the specific irrigated acres within the originally decreed place of use under Right 61-00295. The transfer is to correct the record to reflect the existing use.

Season of use was identified by SRBA staff in their recommendation of this right and confirmed by region staff as the most recent recommended season of use for this area. Diversion volume was also adjusted to current standards.

Recommended conditions include watermaster control, measuring device & lockable controlling works, irrigation overlap, protest agreement, right-of-way and standard transfer conditions.

DATE: 12/18/98
PAGE: 1

PAGE: 1

Misc: Water District Number: Field Inspection Flag:

AJ0749NP
No. R61-00295

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

DATE: 12/18/98
PAGE: 2

Comments: Date: 11/07/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
OWNERSHIP CHANGED BY RDH ON 2/24/93.

Date: 11/16/1998 User-ID: KWALKER Subject: RECOMMENDATION
THIS CLAIM WAS FILED UNDER A61-00295B. MAGIC WEST FILED ON A
PORTION OF A61-00295A. THE MARTELS OWN SWE, S31 AND MAGIC WEST
OWNS S1/2NW, S31. MAGIC WEST'S LANDS ARE COVERED UNDER 61-00294
AND MARTEL SHOULD HAVE ALL OF 61-00295.

Date: 11/21/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 12/18/1998 User-ID: KWALKER Subject: ADDRESS CHANGE
CHANGED THIS ADDRESS PER ONE OF SALLY'S LETTER REQUESTING UPDATE
AND SIGNED BY MR. MARTEL.

Audit: 12/18/98 KWALKER

MEMORANDUM

TO: FILE

FROM: STEVE LESTER

DATE: NOVEMBER 16, 1998

RE: MARTELL TRANSFER #4479, RIGHT 61-00295

The transfer proposes to codify a P/D change dating to about 1993. The transfer must be considered in light of the SRBA recommendation now in progress: the R file has been completed by Kay Walker for the deadline of November 20, and the notice of error process will start shortly after that date. With luck, the transfer will be resolved within the notice of error period, allowing the R file to be changed to match the transfer conclusion. If that works, the right can be presented to the SRBA Court in the most up to date manner.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 6 pages and 2 attachments utilizing the traditional form. The attachments are the maps. The application was submitted in 1994 and protested. The protest was withdrawn by August, 1997. Processing has been delayed since then (I'm responsible for that).

Other information used in this review includes current SRBA recommendations and office/field work related to SRBA conclusions. Also, a diagram is attached to this memo showing the "before and after" situations.

CURRENT RECORDS & PROPOSED CHANGE

The right currently includes some undefined elements: season of use, P/D, number of acres per tract and total acres. The decree includes .02 cfs/acre, implying 17 acres in the three P/U tracts in Section 31.

The right was claimed as A and B portions in the SRBA. However, the split has been resolved, and the entire right is being recommended to the applicant as R61-00295. The transfer matches the SRBA recommendation except for the P/D. The R file reflects the diversion in use through 1987, while the transfer lists the one in use since 1993 (post-1987 so cannot be included in R file unless transfer is approved in time).

VERIFICATION & OTHER ANALYSIS

The R file recognizes the historical P/D, which was a ditch used by more than one user. The ditch originated in NWNW S32, and R61-00295 includes a re-diversion point in SWNE S31. In 1993, Martell changed his diversion practice

to take water solely from the SWNE P/D, which is also used for his other right from the same source but for other acres, 61-07039.

SRBA work concludes that all of right 61-00295 is owned by Martell for the 17 acres in SWNE. Magic West is recognized as the owner of adjacent right R61-00294 (historically diverted via the common ditch in S32), which is dedicated to the SWNW and SENW for the balance of the land originally decreed under 61-00295 (as decreed, both rights covered separate acres in the same tracts).

In this manner, Martell uses his S31 diversion for rights R61-00295 and R61-07039, each for separate acres in the SWNE. Magic West retains all of R61-00294 for adjacent land in the SWNW and SENW. Therefore, the P/U of 61-00295 changed from three tracts to a single tract by or before 1987.

R61-00295 recognizes the validity of the right at least through 1987. Lori Graves confirmed irrigation for this right with her 1991 field work for water right matters related to Magic West's adjacent land now defined by R61-00294. The transfer application was filed in late 1994. Therefore, beneficial use is shown within the five years prior to the transfer filing. Additionally, Kay Walker confirmed that irrigation occurred in SWNE in 1994 and 1998 field visits. The applicant has met the "beneficial use" burden one expects in a transfer, plus the right is on track to being decreed in the SRBA.

The transfer should recognize a season of use of 3/15-11/15. The widely distributed season of use map available to staff shows 4/1-10/31 but the newest map available to SRBA staff indicates the longer season. King Hill Irrigation District water is also used on Martell's acres.

RECOMMENDATIONS

1. The transfer for a change completed after 1987 can be approved subject to normal conditions of approval.
2. Approval within the next 60 days will allow R61-00295 to be changed to match the transfer.
3. Although the watermaster for Little Canyon Creek verbally approved the transfer several years ago, a written reply is needed to complete the record. The watermaster was sent a comment letter today. Allow processing to continue while his reply is pending.

c: Kay Walker and Lori Graves



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 7, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES R AND CARMELA M MARTELL
PO BOX 764
GLENN'S FERRY ID 83623-0764

*changed by K. Walker
12-18-99*

RE: Snake River Basin Adjudication (SRBA)
Water Right #61-00295

Dear Water Right Holders:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by December 18, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

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

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

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

Claimant Signature

Telephone No.

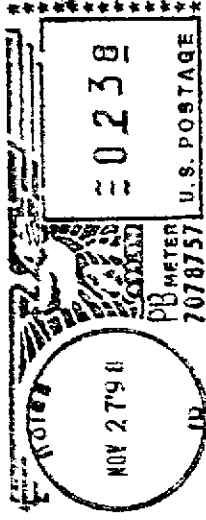
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

RECEIVED
DEC 04 1998

Department of Water Resources

POSTED
FIRST CLASS

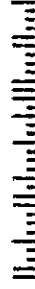


MART540

R61-00295
JAMES R MARTELL
CARMELA M MARTELL
PO BOX 540
GLENN'S FERRY ID 83623

MART540 836232020 1698 08 12/02/98
RETURN TO SENDER
MARTELL
PO BOX 784
GLENN'S FERRY ID 83623-0764

AUTO 83623



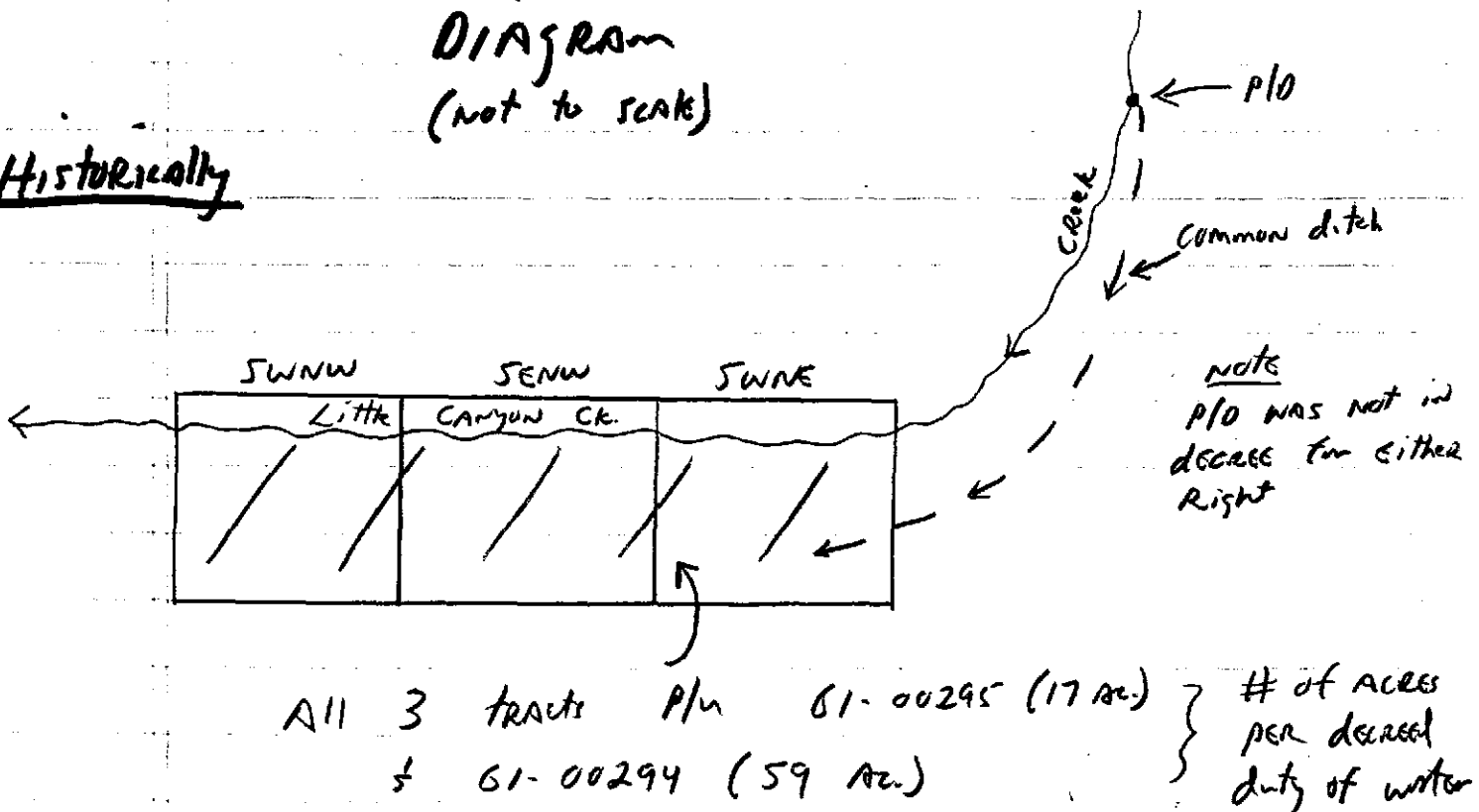
T. 4479

61-00295

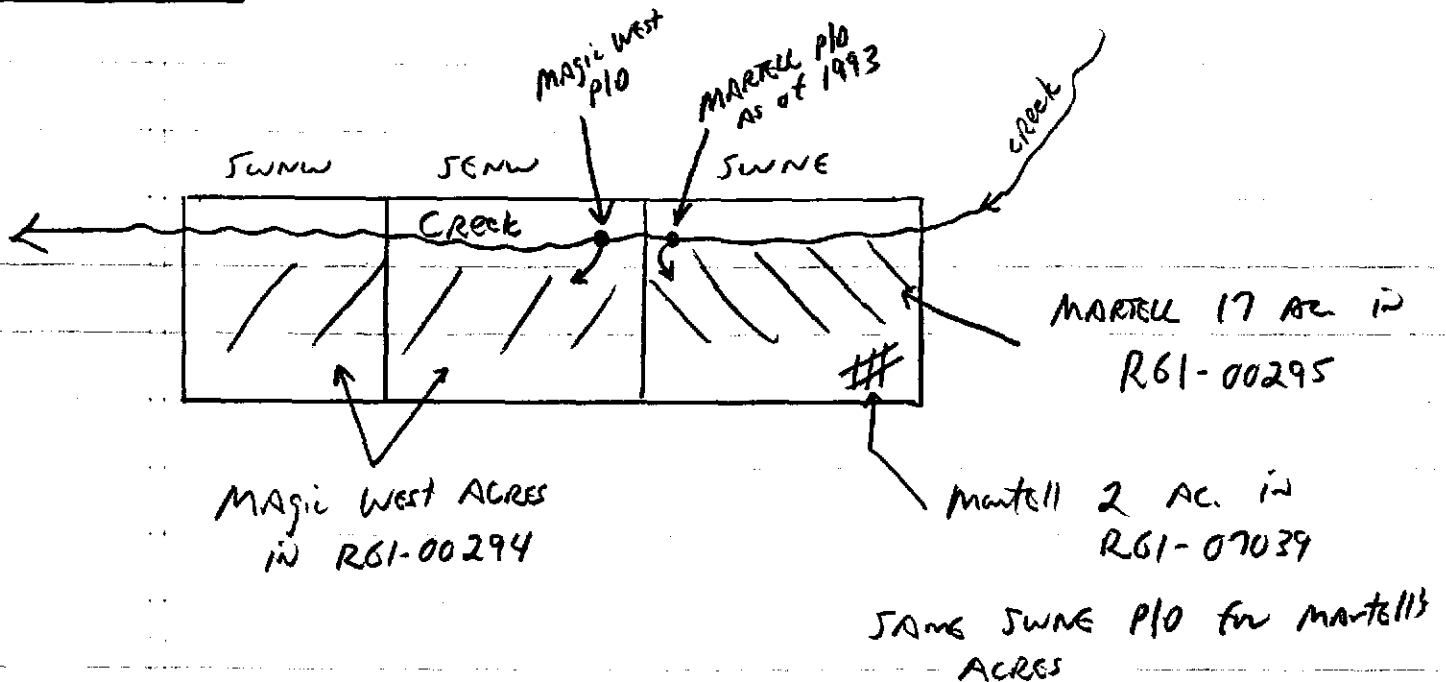
-82
11/16/98

Diagram (not to scale)

Historically



TRANSFER (builds on SRBA recommendation)



Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4477
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

OCT 27 1994

PART 1

**WATER RESOURCES
 WESTERN REGION**

Name of applicant James R. Martell Phone (208)366-2614
 Post Office address PO Box 969, Glens Ferry, ID 83623 2813 Winderly

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Existing ditch destroyed by upstream cattle and we
prefer to sprinkle rather than flood irrigate.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-------------------|-------------------|-----------------------|------------------|-----------------------------|
| <u>A61-00295B</u> | <u>11-18-1888</u> | <u>0.34</u> | <u>irrig.</u> | <u>3-15</u> to <u>11-15</u> |
| | | | | to _____ |
| | | | | to _____ |
| | | | | to _____ |
- Will be 61-00295 per correct
SRBA Recommendation - 82 11/16/98
2. Total amount of water being transferred 0.34 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Little Canyon CK. tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	31	55	10E	Elmore	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
55	10E	31			17														17

Total acres 17

PART 1

6. General Information:

a. Description of diversion system New system is a small sump pump that is placed in a culvert 8 feet deep, four feet wide with an eight inch inlet from Canyon Creek. From the sump pump we pump into a reservoir on the golf course.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 61-00295 Decreed to C. E. Corker
in case of Corker vs. Anthony, et al
dated March 29, 1903 in 4th Judicial Dist. county of Elmore
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Little Canyon Ck. tributary to Snake River4. Date or priority 11-18-1888

5. Water is used for the following purpose:

amount 0.34 cfs for irrig. purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.34 cubic feet per second and/or _____ acre-feet per annum.7. Point(s) of Diversion: None listed in Decree

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
unrecorded previous diversion	{	NW	NW	32	5S	10E	Elmore	- old Ditch From Canyon Ck. no longer used
		SW	NE	31	5S	10E	Elmore	Rediversion to plu

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
5S	10E	31			17													17	
					X				X	X								*	
									6.6										

Total acres 17

9. Describe any other water rights used for the same purpose as described above

King Hill Irrig. Dist. water* AS listed in decree
- 82 11/9/94

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

— NOT SPLIT OWNERSHIP —

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

*See
Attached
Attachment A*

PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

X James R. Mantell
(Signature of Applicant)

Subscribed and sworn to before me this 26TH day of OCTOBER, 19 94.

Phila Lynn Basso
(Notary Public)

My commission expires MAY 1, 1995

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by KW Date 10/27/94 Protest filed by _____

Prelim. check by JK Fee \$100.00

Received by KW Date 10/31/94 #W018307

Published in _____ Copies of protest forwarded by _____

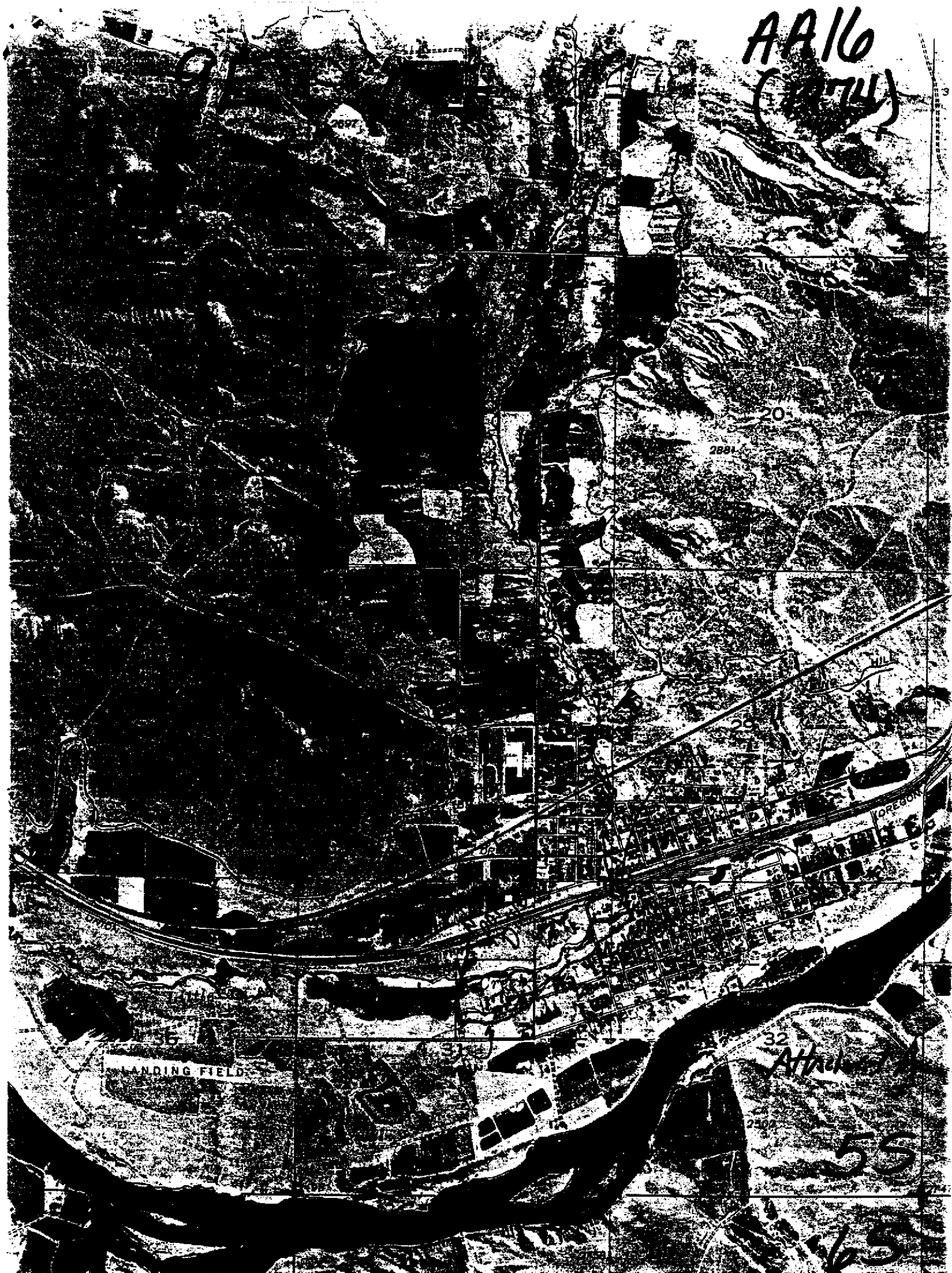
Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

AA16
(1974)



DATE: 11/16/98
PAGE: 1

1

DIVERSION VOLUME

Stage: DECEED

ELMORE County

ES

3

	17.0
	17.0
SUM	---

Date: 11/16/1998 User-ID: KWALKER Subject: RECOMMENDATION

AJ0749NP
No. R61-00295

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

DATE: 11/16/98
PAGE: 2

Comments: Date: 11/16/1998 User-ID: KWALKER Subject: RECOMMENDATION
THIS CLAIM WAS FILED UNDER A61-00295B. MAGIC WEST FILED ON A
PORTION OF A61-00295A. THE MARTELS OWN SWE, S31 AND MAGIC WEST
OWNS S1/2NW, S31. MAGIC WEST'S LANDS ARE COVERED UNDER 61-00294
AND MARTEL SHOULD HAVE ALL OF 61-00295.

Audit: 11/16/98 KWALKER

OWNER

CODE

NAME & ADDRESS

11/18/1888

IRRIGATION

C JAMES R MARTELL

C

PO BOX 540

GLENNS FERRY ID 83623

(208) 366-2557

11/18/1888

IRRIGATION

0.34 CFS

0.34 CFS

03-15

11-15

TOTAL DIVERSION:

0.34 CFS

Water Source:

LITTLE CANYON CREEK

Tributary to:

SNAKE RIVER

Stage:

DECREED

Point(s) of Diversion:

T05S R10E S32

Point(s) of Re-diversion:

T05S R10E S31

ELMORE County

ELMORE County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
		NENE		NENW		NESW		NESE			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
		NAME		NAME		NAME		NAME			
</											

AJ5809NP
No. A61-002958

IDaho DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/07/98
PAGE: 1

OWNER CODE NAME & ADDRESS
C JAMES R MARTELL
C CARMELA M MARTELL
PO BOX 540
GLENN'S FERRY ID 83623
(208) 366-2557

PRIORITY DATE WATER USE
11/18/1888 IRRIGATION ✓

DIVERSION RATE
0.34 CFS ✓

TOTAL DIVERSION:
0.34 CFS ✓

Water Source: LITTLE CANYON CREEK ✓ Tributary to: SNAKE RIVER ✓ Stage: DECREED ✓

Point(s) of Diversion: T05S R10E S32 ✓ NW NW ELMORE County
Point(s) of Re-diversion: T05S R10E S31 ✓ SW ELMORE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE	
T	R	S	Ac	Lt	Ac	Lt	Ac
05S	10E	31E	17	✓	✓	✓	✓
				TOTAL ACRES			
				17.0			
				17.0			

POU County: ELMORE

Non-Irrigation Uses: NONE

Other Rights: CITY WATER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes ALL Sources):
A61-07039 ✓ A61-07228 R61-07228

Other Water Rights Listing Overlapping Place(s) of Use:
A37-04112 A61-00295 A61-00295A ✓ A61-07039 ✓

Remarks: GEN OWNERSHIP CHANGED BY RDH ON 2/24/93. *comments*

Dates: Exam Made Date: 10/18/94 Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:
Audit: 11/08/89 MOBILE3 02/24/93 HOMERTON 03/30/95 POST-STD

W03

00:08:02
10/18/01
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A61-00295B

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES R MARTELL	11/18/1888	IRRIGATION ✓	03-19 11-13	0.34 CFS	
C	CARMELA M MARTELL PO BOX 540 GLENN'S FERRY ID 83623 (208) 366-2557			4-1 10-31	0.34 CFS	
TOTAL DIVERSION:						

Water Source:	LITTLE CANYON CREEK ✓	Tributary to:	SNAKE RIVER ✓	Stage:	DECEASED ✓
---------------	-----------------------	---------------	---------------	--------	------------

Point(s) of Diversion:	Point(s) of Re-Diversion:	County
T05S R10E S32		ELMORE County
T05S R10E S31		ELMORE County

[illegible]

POU County: ELMORE

Non-Irrigation Uses: NONE

Other Rights: CITY WATER - for irrig. NO
to comments

Remarks: OWNERSHIP CHANGED BY RDH ON 2/24/93.

Dates: Exam Made Date: 10/18/94
Verified Date:

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

I assisted Mr. Martal in filling out an app. for transposed at time of exam - He has changed the pld on this right & wants to make it legal. The ditch that used to deliver water was in bad shape & he was the only person that still used it. Could not get any help from ^{people} along ditch that had stock that tromped

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:06
10/18/94

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A61-002958
1

LAST: ANDERSON
ADDRESS: PO BOX 432
CITY: GLENNS FERRY
PHONE NUMBER: 208-366-2352
OWNER CODE: 0

FIRST: VIRGINIA A
STATE: ID ZIP: 83623

LAST: MARTELL
ADDRESS: PO BOX 540
CITY: GLENNS FERRY
PHONE NUMBER: 208-366-2557
OWNER CODE: C

FIRST: JAMES R
STATE: ID ZIP: 83623

LAST: MARTELL
ADDRESS: PO BOX 540
CITY: GLENNS FERRY
PHONE NUMBER: 208-366-2557
OWNER CODE: C

FIRST: CARMELA M
STATE: ID ZIP: 83623

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: OWNERSHIP CHANGED BY RDH ON 2/24/93.

DATABASE
Y

FIELD
EXAMINER
Y() N()

CONTACT PERSON: Jim Martell

DATE OF FIELD EXAM: 10/18/94

ACCOMPANIED BY:

RELATIONSHIP TO CLAIMANT: same

DIRECTIONS TO PROPERTY / NOTES:

See field exam telephone conversation
memorandum

PHONE NUMBER: () - -

TIME: 9:00 A() P()

PHONE NUMBER: () - -

A. AJ CLAIM: # A61-00295B PRIORITY DATE: 11-18-1888 ✓ STAGE: D

B. WR RECORD: # 61-00295 PRIORITY DATE: 11-18-1888 ✓ STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

NOTES: Claimed & recommended as

decreeed-

=====

RECOMMENDED PRIORITY DATE:

11-18-1888

REVIEWED BY KW

DATE 11/7/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A61-00295B	05S 10E	31			SW	NE	R	ELMORE		
A61-00295B	05S 10E	32			NW	NW		ELMORE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
R PREFIX
A61-07039 NONE
A61-07228

WR RECORDS IN SAME 40 ACRE TRACT

61-02076 - *Parker & Rec. - Little Canyon Cr.*
61-02083 - *Crane - Little Canyon Cr.*
61-02084 - *White - Little Canyon Cr.*
61-07011 - *Wagon - Little Canyon Cr.*
61-07039
61-07228 - *Kenia Ferry Seined*

*City of
Glenns-gw
Perry-gw*

SOURCE: LITTLE CANYON CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

6100295 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER ✓

SOURCE: LITTLE CANYON CREEK

TRIB: SNAKE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A(✓) Y() N()

*P/D not
listed in
deed*

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N(✓)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(✓) N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(✓) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(✓)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM

(DATE OF FIELD EXAM)

NAME OF EXAMINER

10/18/94

Y() N()
Y(✓) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Mr. Martell moved pld in 1993-4 assisted him in filing an app. for transfer in '94. It was protested - until that transfer is approved showing pld's are originally & historically used.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)							POD		COUNTY		DIVERSION NAME		DIVERSION NBR	
TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG		ELMORE	ELMORE				
05S	10E	31	SW	NE			R							
05S	10E	32	NW	NW										
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
SOURCE: LITTLE CANYON CREEK										TRIB: SNAKE RIVER				

REVIEWED BY: KW DATE: 11/7/98

SYSTEM DESCRIPTION: DESCRIBED BELOW (✓), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

6" concrete pipe (yucca downstream) to pump to pond on golf course. Pumped out of pond & put onto greens - float in pond to tell pump to turn on & off. Co-mingles King Hill water & Little Canyon Ck. water in pond. Sprinkles automatically rotate to water greens at night.

A. ROOT WATER RIGHT NUMBERS: A61-00295B
A61-00295A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	10E	31	SW	NE		MARTELL, JAMES R	A61-00295B / 17.0		40.0		17
			SW	NE		MARTELL, JAMES R	A61-07039 / 2.0	61-07039 / 2.0			
			SW	NE		CITY OF GLENNS FERRY	A61-04141 /				
			SW	NE		CITY OF GLENNS FERRY	A61-07228 /	61-07228 /			
			SW	NE		KING HILL IRRIGATION DISTRICT	A37-04112 / 17.0	37-04112 / 23.0			
			SW	NE		MAGIC WEST INC	A61-00295A / 5.7				
			SW	NE		MAGIC WEST		61-00294 /			
			SW	NE		CORKER, C. E.		61-00295 /			
			SW	NE		DEWEY, LEROY		61-07011 / 4.0			
			SW	NE		KING HILL IRRIGATION DISTRICT		A02-00214 /			
			SW	NE		KING HILL IRRIGATION DISTRICT		A02-00215 /			
			SW	NE		KING HILL IRRIGATION DISTRICT		A02-00216 /			
			SW	NE		KING HILL IRRIGATION DISTRICT		A02-00217 /			

ADDITIONAL POU FOUND

TOTAL ACRES A61-00295B 17.00 40.00 17

POU COUNTY: ELMORE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()
different water rights

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV.	RATE	DIV.	RATE/ACRE	DIV.	VOL.	DIV.	VOL./ACRE
A61-00295B	LITTLE CANYON CREEK	MARTELL, JAMES R		0.340		0.020				
A37-04112	MALAD RIVER	KING HILL IRRIGATION DISTRICT		370.000		0.032				
A61-00295A	LITTLE CANYON CREEK	MAGIC WEST INC		0.340		0.019				
A61-07039	LITTLE CANYON CREEK	MARTELL, JAMES R		0.070		0.035		9.00		4.50

LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-04141	MUNICIPAL	CITY OF GLENN'S FERRY	FROM 01-01 TO 12-31	2.890 CFS	
A61-07228	MUNICIPAL	CITY OF GLENN'S FERRY	FROM 01-01 TO 12-31	.450 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? ☒ Y ☐ N

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: CITY WATER

King Hill Irrig. District

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☐ N/A ☒ Y ☐ N

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? ☒ Y ☐ N

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? ☒ Y ☐ N

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? ☐ Y ☒ N

CHECK DOCUMENTS USED TO VERIFY POU: ☒ ORTHOPHOTOQUAD, IDWR NO. AA16; ☐ TOPOGRAPHIC QUAD, IDWR NO. _____;
☒ NAAPP, IDWR NO. AA16 NW; ☒ ASCS PHOTO; ☒ OTHER GIS photo

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: / / **N/A()**

REVIEWED BY: 

DATE: 1/17/98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A61-002958 IRRIGATION	FROM 03-15 TO 11-15	.340 CFS	
TOTAL DIVERSION RATE/VOLUME		.340 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
61-00295 IRRIGATION	FROM TO	.340 CFS	
TOTAL DIVERSION RATE/VOLUME		.340 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? ☒ Y ☐ ND. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☐ N/A ☒ Y ☐ N

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? ☒ Y ☐ NF. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? ☒ Y ☐ NG. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? ☒ Y ☐ N

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☐ N/A ☒ Y ☐ N

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? ☐ N/A ☒ Y ☐ NJ. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☒ N/A ☐ Y ☐ N

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? ☒ N/A ☐ Y ☐ N

NOTES:

At time of exam pld located in
NW SW NE, Sec 31, 5S, 10E - transfer app.
filed & protested - cannot recommend
this now pld until transfer is
acted upon.

AJ CLAIM TOTAL DIVERSION RATE:

0.340 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

0.340 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A () Y () N ()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A () Y () N ()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y () N ()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y () N ()

E.

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 17 x 0.02 CFS/ACRE = 0.34 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y () N ()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N ()

2. IRRIGATION CONSUMPTIVE USE N/A AF/A

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME N/A - surface water AF/A

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

N/A

DECEE STATES THAT QUANTITY OF WATER NECESSARY TO IRR. SAID LANDS IS 1.0 INCHES/AC., THEREFORE AC. IRR. = 17.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE
			DATABASE	EXAMINER	
IRRIGATION	03-15 11-15	DATABASE 0.340 EXAMINER 0.34	DATABASE	EXAMINER	DATABASE 0.0 EXAMINER
TOTAL FOR THIS RIGHT		0.340 0.34	A/A	A/A	0.0 A/A

NON-IRRIGATION USES CLAIMED: None

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: kw DATE: 11/7/98

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

W03-King Hill Irrig. Dist.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ☒ ()
NEEDS REVIEW () () ()

also verified in Camore Co tax lots per Review.

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-00295

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-00295B	0.340	0.34	to be disallowed.	-	-
-	A61-00295A	0.340	-	-	61-00295	0.340

EXAMINER 0.34

DATABASE 0.340

TOTAL CFS

0.680

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

FIELD EXAMINER Y() N()

DATABASE N

NOTES:

See field notes of 11/21/91 at bottom of CVR stack by Gori White - now Graved.

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

Ray Walker *11/17/98*
Ray Walker *Sr. Agent*

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☒ ORTHOPHOTOQUAD

DATE OF PHOTO

IDWR ID NO.

Y() N()

☐ TOPOGRAPHIC

DATE FIELD CHECKED

IDWR ID NO.

Y() N()

☒ NAPP

DATE OF PHOTO

IDWR ID NO.

Y() N()

☒ ASCS AERIAL PHOTO

DATE OF PHOTO

IDWR ID NO.

Y() N()

☐ ASCS COLOR SLIDE

DATE OF PHOTO

IDWR ID NO.

Y() N()

☐ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

IDWR ID NO.

Y() N()

☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

IDWR ID NO.

Y() N()

☐ SCS SOIL SURVEY MAP

DATE ISSUED

IDWR ID NO.

Y() N()

☐ SUBDIVISION PLAT MAP

DATE OF MAP

IDWR ID NO.

Y() N()

☒ OTHER *B/S shape*

DATE

IDWR ID NO.

Y() N()

☐ OTHER

DATE

IDWR ID NO.

Y() N()

☐ OTHER

DATE

IDWR ID NO.

Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM

DATE OF FIELD EXAM

IDWR ID NO.

Y() N()

☐ WATER RIGHT LICENSE

DATE LICENSE SIGNED

IDWR ID NO.

Y() N()

☐ IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

IDWR ID NO.

Y() N()

☐ SYSTEM DESCRIPTION

DATE DRAWN

IDWR ID NO.

Y() N()

☒ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

IDWR ID NO.

Y() N()

☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

IDWR ID NO.

Y() N()

☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

IDWR ID NO.

Y() N()

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

IDWR ID NO.

Y() N()

☐ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

IDWR ID NO.

Y() N()

☐ OTHER

DATE

IDWR ID NO.

Y() N()

☐ OTHER

DATE

IDWR ID NO.

Y() N()

6" concrete pipe to ^{faces downstream}
~~sewer~~ pump (from Little Canyon Cr.)
2" to pond on golf course where
it is pumped out to greens -

moved pld beginning of '93 - now
land is in golf course.

automatically ^{rotates} ~~at~~ sprinklers at nite -

small pump ^{from} ~~into~~ pond ^{448.8}
then ~~when it is through~~ ^{0.9}
whole golf course. ^{41.6}

95 psi
all the
time

float in pond to tell pump
to turn on + off -

Can pump 400 gpm

co-mingles King Hill
water w/ Little Canyon
Cr. water

.34 cfs

17 in

448.8
34
17952
13464
152592

Letter
of 10/19

wants to clean dead trees & beavers
out of creek - also may want
to dike channel to keep flooding
out.

1'

IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

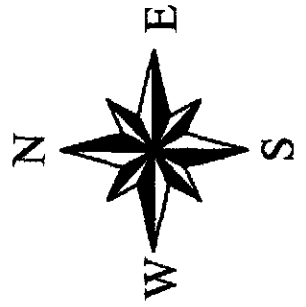
CLAIM(S): 61-00295

T05S, R10E, S31

Owner(s): MARTELL

Prepared by: KAY WALKER
Date: November 7, 1998

-  Place of Use
-  Point(s) of Diversion
-  Section Lines
-  1/4 1/4's



0 0.25 0.5 Miles



IDAHO DEPT OF WATER RESOURCES

1987 NAPP PHOTO

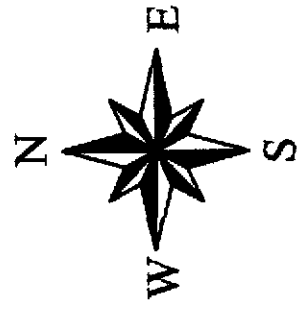
CLAIM(S): 61-00295

T05S, R10E, S31

Owner(s): MARTELL

Prepared by: KAY WALKER
Date: November 7, 1998

- ☐ Place of Use
- Point(s) of Diversion
-  Section Lines
- ☐ 1/4 1/4's



0 0.25 0.5 Miles

WESTERN REGION

CLAIM NUMBERS _____

AGENT _____ DATE _____

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80 _____

POLYGON # ()()()() _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (444)()()()()

ATTRIBUTES OF B51-POD.SHP (428)(~~429~~)()()()

B51-DBPOU.DBF 12/9/98 UPDATED BY 2 NW NW, 32

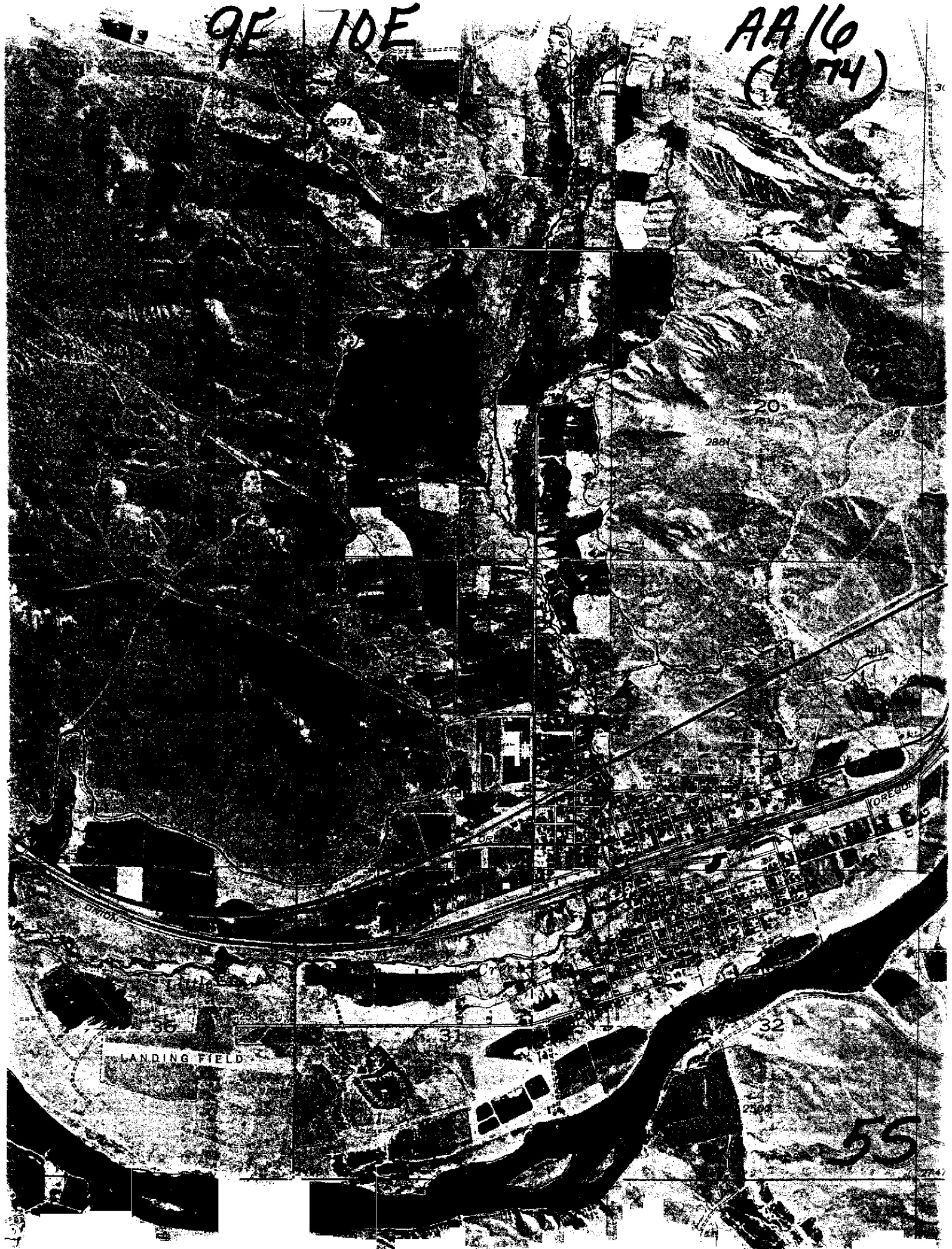
B51-DBPOD.DBF 12/9/98 UPDATED BY kw
SWNE, 31

deleted pld
 429 + made
 428 the actual
 pld (not a redversion)
 per approved
 transfered 4479-
 kw
 2/3/99

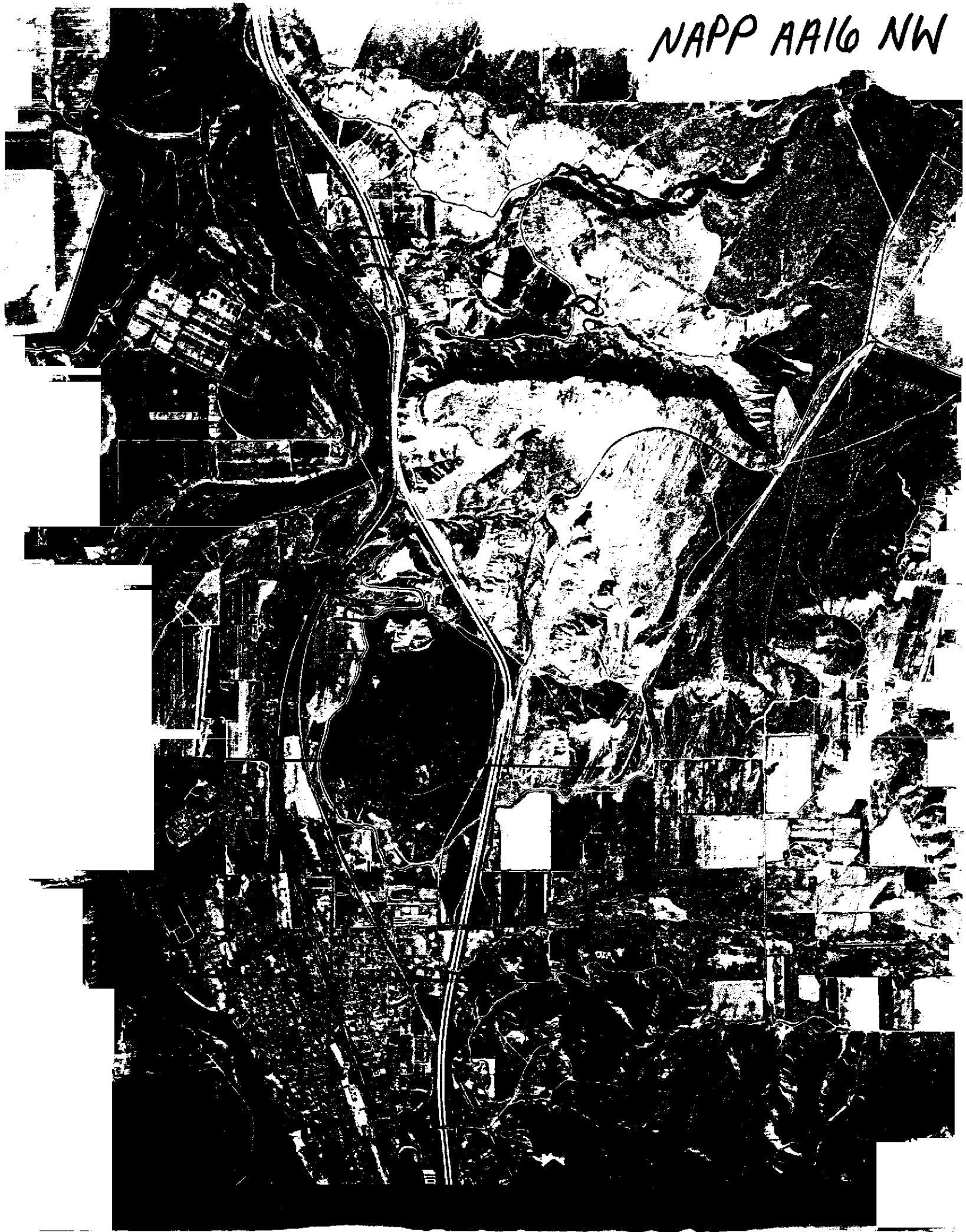
RDH GPSTABLE

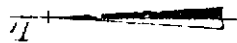
9E 10E

AA16
(1974)

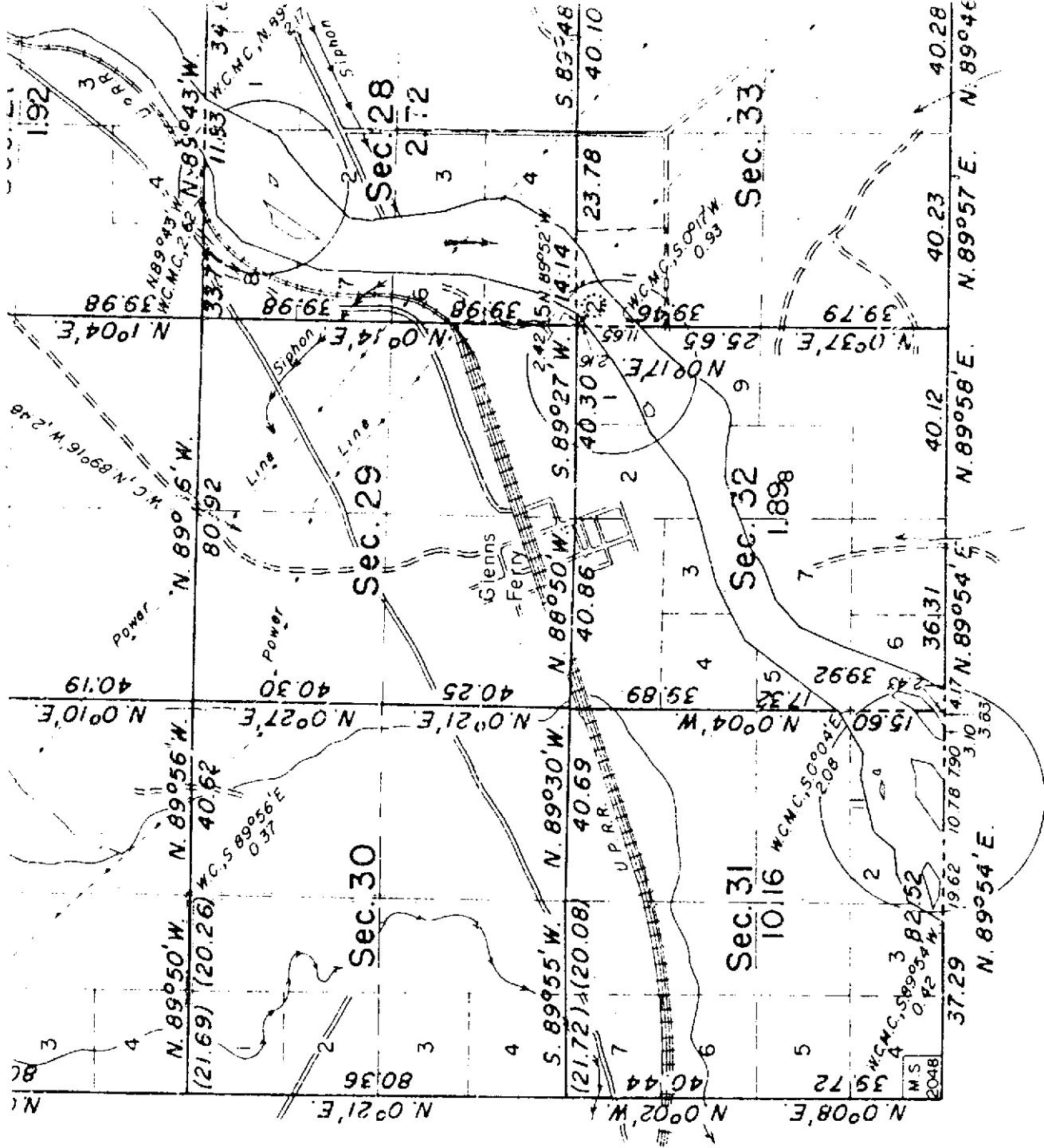


NAPP AA16 NW





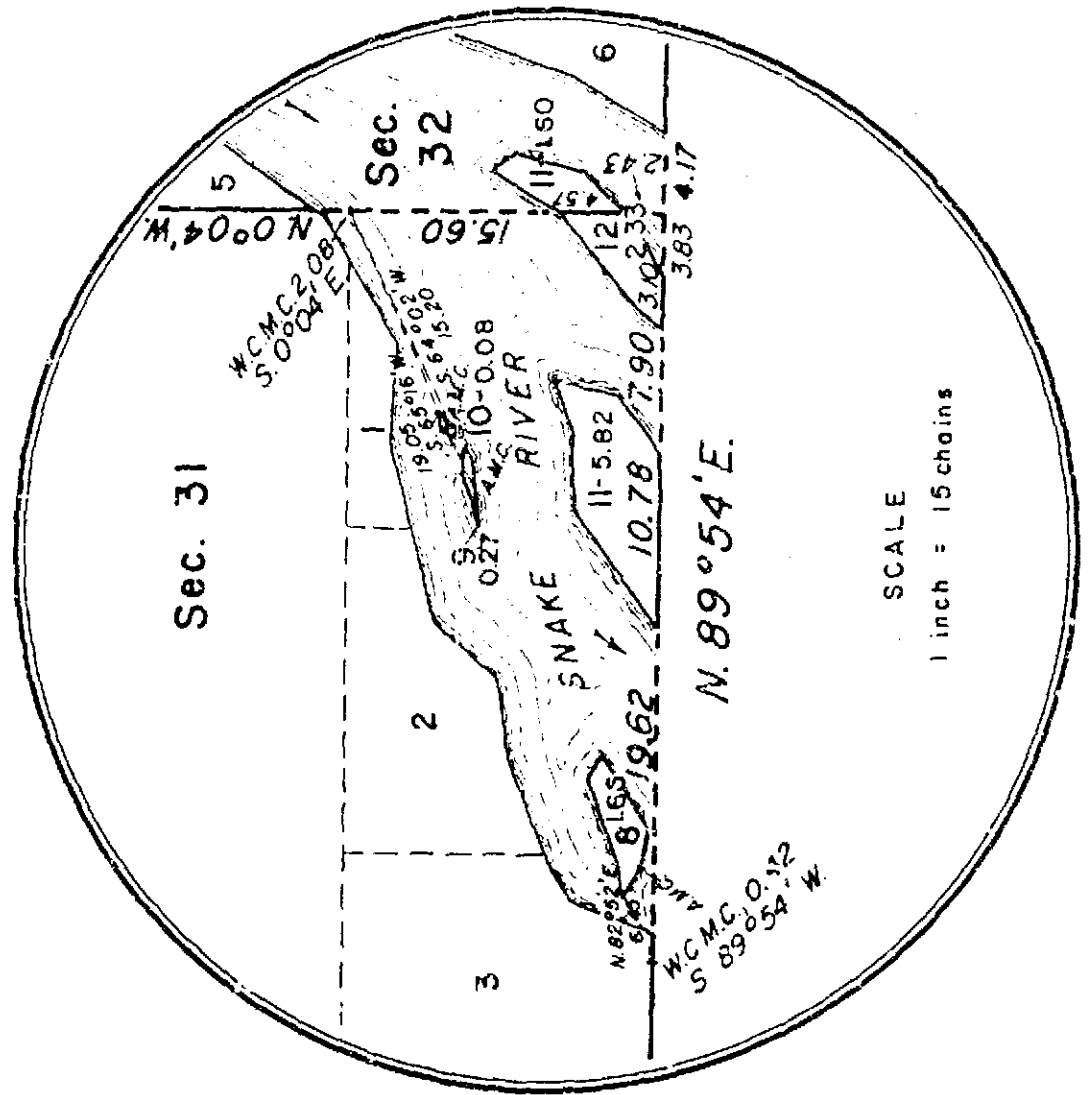
Mean Magnetic Declination
: 8°30'E



55-10E

(1963)

10 5 0 10 20
Area Resur
Area Sur.
Sco



55-10E

(1963)

A61-00295B

Photos taken
10-18-94 by kw

6" concrete
Pipe in
Little Canyon
Ck. that
diverts water
into ^(sewer) sump
pump...
Note that end
of pipe is
an offset
that is
drawing
water from downstream.



← water flow in creek.



Sump pump-

↑ water coming in
from other end
of pipe shown
above.

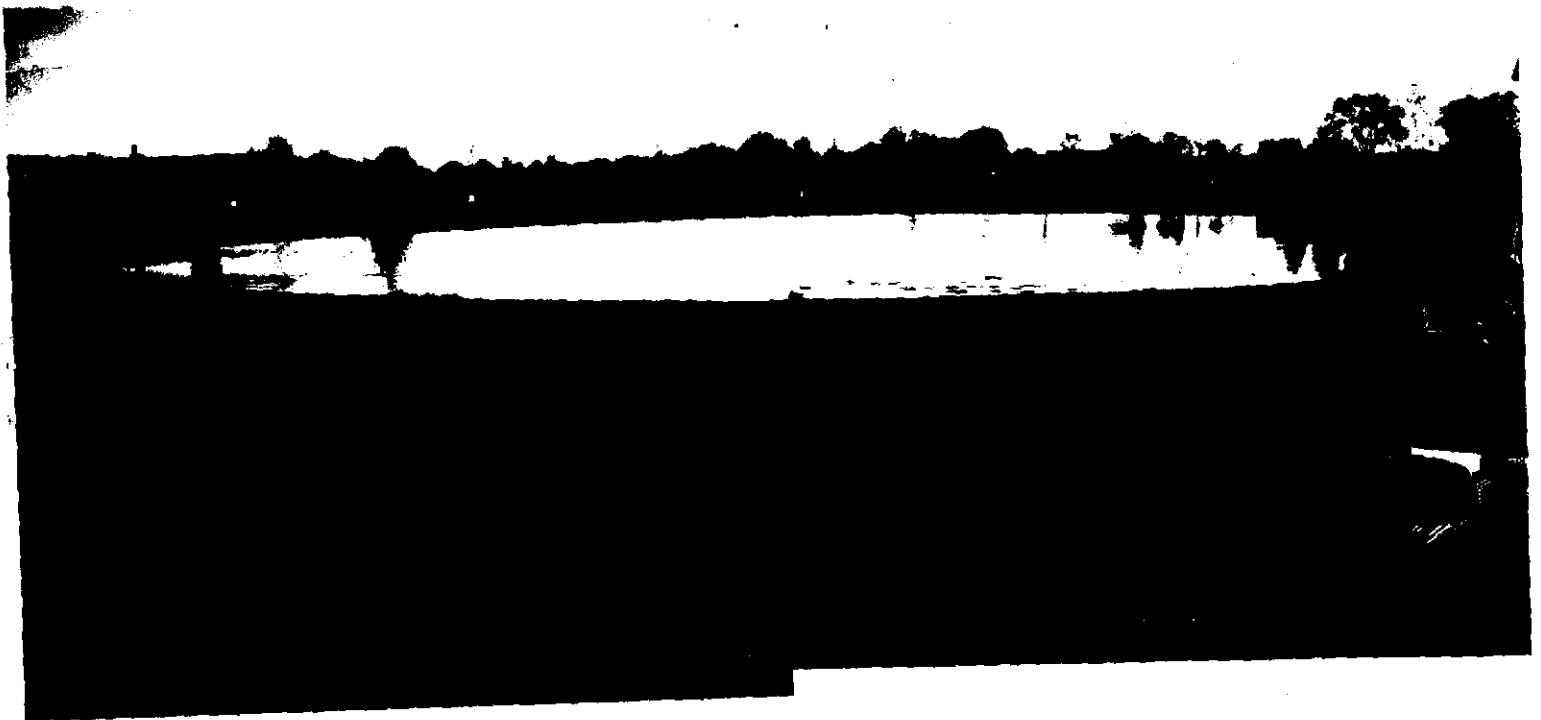
A61-00295B

Photos taken
~~10-18-94~~ 10-18-94
by kw



Sump pump -
underground 2"
pipe to pond
then to
pumps into
pump house
for
pressurizing
sprinkler system

↓ Pond on golf course - Little Canyon Ck. & King Hill
water co-mingled



A61-00295 B

Photos taken by
tw 10-18-94

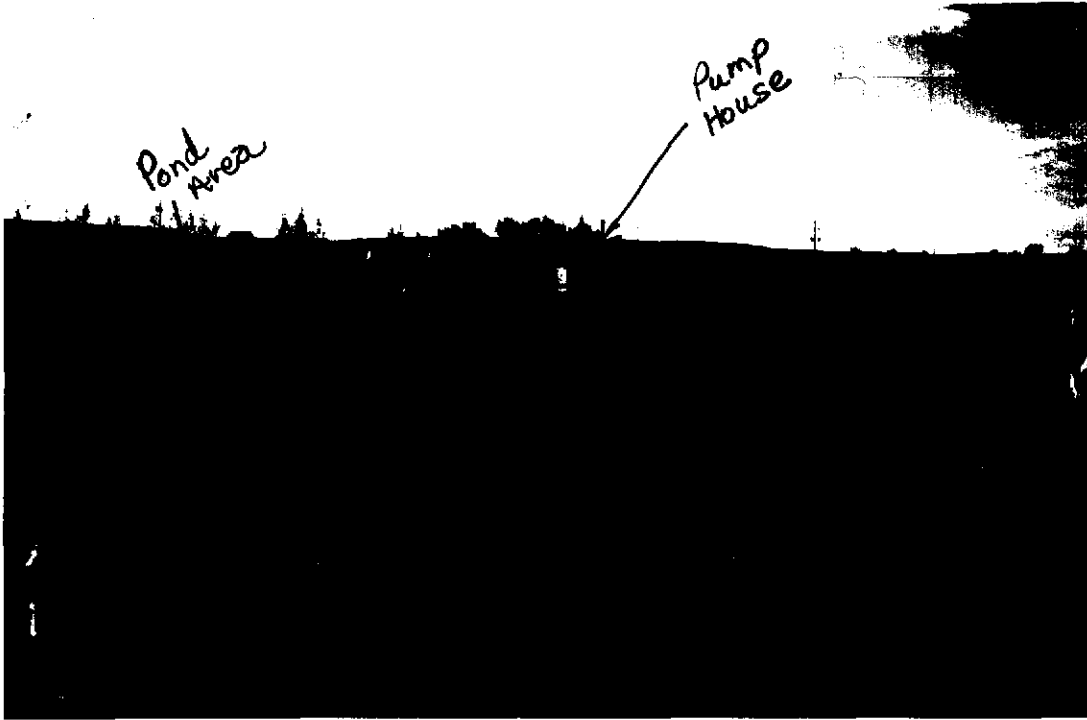


Photo taken
from diversion
point looking
out over
place of use.



Place of
use to
east of
above
photo.

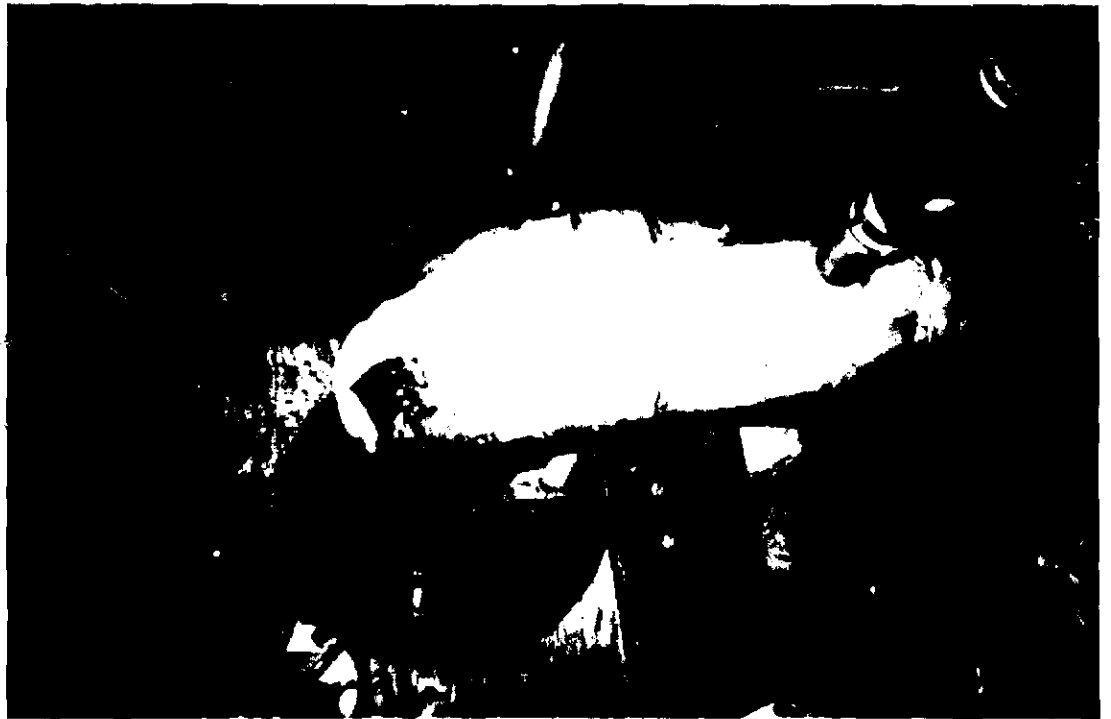
AB1-00295B

Photos taken 10/18/94
by KW



Works
inside
pumphouse
for
pressurizing
sprinkler
system.
Runs at 95 psi
at all times.

System
automatically
rotates
sprinklers
at night.



System can pump up to 400 gpm but they
do not do this because it pumps the
pond dry.

FIELD EXAM PHOTO INDEX SUMMARY

Date: 10-18-94

Roll No.: 1

Photographer: Ray Walker

PHOTO NO.	SUBJECT
1	<u>grape vines - testing camera only.</u>
2	<u>pipe in Little Canyon Cr.</u>
3	<u>sump pump x 2</u>
✓ 4	<u>place of use x 3</u>
5	<u>pumps ~~are~~ to pressurize in bldg.</u>
6	<u>pond x 2</u>
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 19, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Little Canyon Creek

James R. Martell
P.O. Box 540
Glenns Ferry, ID 83623

Dear Mr. Martell:

I talked with our stream channel alteration specialist this morning in regard to your questions about cleaning the dead trees and beaver dams out of the stream channel. He responded that you do need to apply for a Joint Application for Stream Channel Alteration Permit (one application form for the State of Idaho and Corps of Engineers) to do the work and gave me an application and instructions booklet to send to you. Please note that there is a \$20.00 fee for submittal of the application.

The dike you are contemplating becomes a little more complex. You can apply to construct the dike on the same application form as above but you will be required to submit an engineered design of the proposal. I have enclosed a copy of our Stream Channel Alteration Rules for your information. The rules regarding dikes begin on page 17 of this booklet. If you have any other questions regarding stream channel alterations you may wish to contact our specialist. I have attached one of his business cards to the front of the application booklet for your convenience.

Please feel free to contact me if you have any questions regarding your water rights.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Staff Analysis Sheet For
SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains

- ☐ Claim Verification Report(CVR)
☒ Copy of Adjudication Claim
☒ Copies of pertinent files(prev. rts., exams, etc.)
☒ Well Inspection Form (If Needed)
☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☐ yes ☒ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
☒ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
☒ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☐ yes ☐ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☒ Different source for same acres
☐ Other: _____

B. After Conducting the Exam, the File Contains:

- ☐ Fully Completed and Signed CVR Form
☐ Completed Adjudication Claim Checklist
☐ Photographs of Point(s) of Diversion and Place of Use
☐ Completed map outlining Point(s) of Diversion and Place of Use

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Jim Martel
PHONE NUMBER _____ ADJ. AGENT Ray
DATE SET FOR EXAM Tues. at 9:00 10-18-94
LOCATION/DIRECTIONS met at Winery at
9:00 AM

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler heads? _____

COMMENTS _____

Water Right Number - 61-00295 **B** Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CORKER
C. E.
1 -
2 -
3 -
City-
Phone -
State- Zip-
1 - P.O. BOX 423
2 -
3 -
City- GLENNS FERRY State- ID Zip- 836230000
Phone -

*** P - PRESENT OWNER ***
ANDERSON
DON L.
+ - - - - Priority Date - - - - + + - - - - Region - - - - + + - - - - Stage - - - - + + - - - - Status - - - - +
11/18/1888 14 WESTERN D - DECREED
+ - - - - Source - - - - + + - - - - Tributary - - - - +
LITTLE CANYON CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot Rflg County
55 10E 31 SWNE R2
55 10E 32 NWNW
Description Period From Period To Water Use Diversion Rate Diversion Volume
Code 3-15 11-15 0.340
01 - IRRIGATION

+ - - - - Total Div. Rate - - - - + + - - - - Total Div. Volume - - - - + + - - - - Total Div. Capacity - - - - +
0.340
+ - - - - Place of Use - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
05S 10E 31 SW NE 17 01 IRRIGATION 39 ELMORE
05S 10E 32 SW NW 1 01 IRRIGATION 39 ELMORE
05S 10E 32 SE NW 1 01 IRRIGATION 39 ELMORE

+ - - - - Diversion Means -
+ - - - - Non-Irrigation Use -
+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
FOR USE ON THE CORKER PRE-EMPTION.
DECREE STATES THAT QUANTITY OF WATER NECESSARY TO IRR. SAID
LANDS IS 1.0 INCHES/AC., THEREFORE AC. IRR. = 17.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October ⁵/₁, 1994

RE: Notice of Claim to a Water Right Nos. A61-00295B & A61-07039

James R. or Carmela M. Martell
P.O. Box 540
Glenns Ferry, ID 83623

Dear Claimants:

I have to conduct an examination on the above referenced notices of claims to water rights before October 31, 1994. I previously sent you a letter requesting that you contact me to schedule an appointment. In order to conduct this verification as efficiently as possible, I ask that you contact me before October 17th, 1994, to schedule a day and time convenient for you, if you wish to accompany me. Although you are not required to be present it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany me it would be appreciated.

If I do not hear from you by October 17th, I will assume that you do not wish to accompany me, and I will conduct the verification based on information contained in our records. If you have any questions in regard to the system verification, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau
(208) 334-2190

KW:k



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 5, 1994

RE: Claims filed in the Snake River Basin Adjudication

James R. or Carmela M. Martell
P.O. Box 540
Glenns Ferry, ID 83623

Dear Claimants:

We are now conducting water right claim verification examinations in your area. An examination is needed to verify your water use in order to recommend the water rights for decree. Information on your claims which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, which must be completed this summer, please contact me at (208)334-2190 to make an appointment at a time that is convenient for you. I will be scheduling appointments for the last two weeks in August, and through September. Although it is not mandatory that you accompany me, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany me it would be appreciated.

If you have any questions in regard to the exam verification, please feel free to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 24, 1993

RE: Notice of Claims in the Snake River Basin Adjudication

Bob Cunningham
Rural Telephone Co.
P.O. Box 969
Glenns Ferry, ID 83623

Dear Mr. Cunningham:

I have researched our records of claims filed in the Snake River Basin Adjudication (SRBA) and did not find any claims submitted by Don L. Anderson. I found one claim submitted by Virginia Anderson on November 8, 1989, which was numbered A61-00295B and has subsequently had an ownership change to the Martells. A copy of that claim was sent to the Martells by Ron Howerton on March 22, 1993.

In researching our records of existing water rights, I found only three rights in Mr. Anderson's name. They are: 61-07011, 61-00295 and 61-07039. All of these rights were to be diverted from Little Canyon Creek.

As I stated on the phone, I have been assigned the review of Claims A61-07011, A61-00295B and A61-07039. Any information or questions in regard to these claims should be directed to me.

I am enclosing some brochures which may help in understanding the difference between SRBA claims and existing water rights. If you have any further questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 22, 1993
JAMES R MARTELL &
CARMELA M MARTELL
PO BOX 540
GLENN'S FERRY ID 83623

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Ref: Claims **A61-00295B**, **A61-07039** &
A61-07011

Dear James and Carmela Martell,

Enclosed are copies of the two highlighted above referenced claim(s) which reflect the **CHANGE IN OWNERSHIP** of the lands and appurtenant water rights requested by your notice of ownership change. (Note, claim **A61-07039** was already processed and changed from an earlier notice of ownership change request dated 12/12/90).

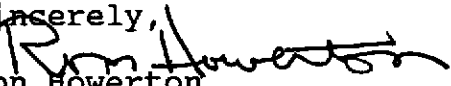
The claim we could not continue to process is, Claim No. **A61-07011**. The claim was filed in the name of Joel & Cindy Allen, with no reference to any other owner. However, they have claimed the right showing a change in place of use from the place of use on the existing right. During our verification of this claim, prior to submission to the Court for decree, we will investigate this change of place of use to confirm whether they owned the original place of use when this change was made. If not, then the place of use remains on the land originally covered and now owned by you. In the meantime it may be a good idea for you to also file on this right showing the original place of use which you now own. You may want to look at your sales contract or warranty deed to see whether or not this right may have been withheld in the sale. If it was not owned by the Allen's at the time they changed the place of use, and was not withheld in the sale, then this right should have automatically been conveyed with the land you purchased.

I have enclosed a proof report of this right to help you fill out the enclosed claim form to return to our office with the filing fee. The normal filing fee for to be submitted with this claim is a \$50 flat fee per claim, plus \$1 per acre, for a total fee of \$54. No-late fee will be assessed, if you file this claim prior to our second round mailing notices for this area, which may begin within the next few months. Again, I will mention that the exact determination of the ownership of this right will have to be determined at a later date through our normal investigation, unless you have other information at this point to clarify this ownership issue.

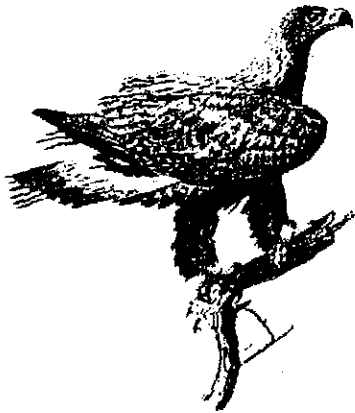
The Department will contact you in the future concerning any other requirements that may be needed in order to process these claim for final court decree.

Feel free to contact this office if you have any questions concerning this letter, the enclosed claims, or filing of your new claim.

Sincerely,


Ron Howerton
Senior Water Agent
Adjudication Section

cc: File(s)
Enclosures:
Proof Report
New Claim Form (with instructions)
Claim Copies, A61-00295B & A61-07039



B. E. C. REALTY

ELAINE CUNNINGHAM

RECEIVED

AUG 07 1992

Department of Water Resources

P.O. BOX 760
510 W. 1st AVENUE
GLENN'S FERRY, ID 83623
BUSINESS (208) 366-2901
HOME (208) 366-2937

AUGUST 5, 1992

AUG 10 1992

ADJUDICATION BUREAU
DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD
STATEHOUSE MAIL
BOISE, IDAHO 83720

Department of Water Resources
Western Regional Office

DEAR SIRs,

I HAVE ENCLOSED THE WATER TRANSFER PAPERS FROM VIRGINIA ADELE ANDERSON
TO NEW PROPERTY OWNER JAMES R. MARTELL & CARMELA M. MARTELL.
NUMBERS A61-00295 AND A61-07039: Plus A61-07011
PAPERS ENCLOSED:

- (1) SMALL SECTION PLAT.
- (2) SECTION PLAT DIVIDED.
- (3) SURVEY PLAT OF FREE AND CLEAR PROPERTY.
- (4) WATER FROM LITTLE CANYON CREEK.
- (5) DEED OF PROPERTY FREE AND CLEAR.
- (6) DEED WITH MORTGAGE HELD BY ANDERSON TO MARTELL.
- (7) NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP,
SIGNED BY BOTH BUYER AND SELLER.

IF YOU NEED ANYTHING ELSE PLEASE LET ME KNOW.

AS EVER,

Elaine Cunningham
ELAINE I. CUNNINGHAM
B.E.C. REALTY

AUGUST 6, 1992

DEAR SIRs,

I MAILED THIS INFORMATION TO YOU YESTERDAY BUT DIDN'T HAVE THE LAST
NUMBER A61-07011 ON THIS COVER LETTER.

AS EVER,

Elaine Cunningham
ELAINE I. CUNNINGHAM
B.E.C. REALTY



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

AUG 07 1992

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

Department of Water Resources

DATE OF CLOSING: JULY 9, 1992

LEGAL DESCRIPTION OF PROPERTY: Township 5S Range 10E Section 31, SW 1/4 of NE 1/4 of 1/4, Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.
FULL LEGAL ATTACHED TO DEEDS

☐ 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: NOS. A61-00295 AND A61-07039 AND A61-07011

☐ Name and Address of Former Owner/Claimant(s)(Seller): DON L. ANDERSON & VIRGINIA ADELE ANDERSON

P.O. BOX 423,

GLENNS FERRY, IDAHO 83623

☐ New Owner/Claimant (Purchaser): JAMES R. MARTELL AND CARMELA M. MARTELL

☐ New Mailing Address: P.O. BOX 540

GLENNS FERRY, IDAHO 82623

☐ New Telephone Number: (208) 366-2557

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

☐ Attach proof of ownership, describe proof attached: A61-07011 9-NOV.-1967 .080 CFS 18.00 AF A61-00295
DEED FROM PURCHASE OF ALL PROPERTY WITH 17 INCHES 18 NOV-1888
AND 19-JULY -1968 .070 CFS A61-07039 ALL WATER FOR THIS PROPERTY TO
(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.) MARTELL'S

☐ Signature of New Owner/Claimant(s): James R. Martell Date 7/30/92

Carmela M. Martell

Date 7/30/92

☐ Signature of Former Owner/Claimant(s): Virginia Adele Anderson Date 7/30/92

(A WIDOW WOMAN)

Date 7/30/92

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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



B. E. C. REALTY

RECEIVED
AUG 06 1992

P.O. BOX 760
510 W. 1st AVENUE
GLENNS FERRY, ID 83623
BUSINESS (208) 366-2901
HOME (208) 366-2937

ELAINE CUNNINGHAM

Department of Water Resources
Western Regional Office

AUGUST 5, 1992

ADJUDICATION BUREAU
DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD
STATEHOUSE MAIL
BOISE, IDAHO 83720

RECEIVED

AUG 06 1992

Department of Water Resources

DEAR SIRs,

I HAVE ENCLOSED THE WATER TRANSFER PAPERS FROM VIRGINIA ADELE ANDERSON
TO NEW PROPERTY OWNER JAMES R. MARTELL & CARMELA M. MARTELL.
NUMBERS A61-00295 AND A61-07039:
PAPERS ENCLOSED:

- (1) SMALL SECTION PLAT.
- (2) SECTION PLAT DIVIDED.
- (3) SURVEY PLAT OF FREE AND CLEAR PROPERTY.
- (4) WATER FROM LITTLE CANYON CREEK.
- (5) DEED OF PROPERTY FREE AND CLEAR.
- (6) DEED WITH MORTGAGE HELD BY ANDERSON TO MARTELL.
- (7) NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP,
SIGNED BY BOTH BUYER AND SELLER.

IF YOU NEED ANYTHING ELSE PLEASE LET ME KNOW.

AS EVER,

Elaine Cunningham
ELAINE I. CUNNINGHAM
B.E.C. REALTY

MEMO

DATE: 11/21/1991

FROM: LORI WHITE

RE: A61-00294
A61-00295A
A61-00295B

THE DECREE FILE FOR LITTLE CANYON CREEK SHOWS MAGIC WEST AS OWNER OF 61-00294 FOR THE SWNE, SENW AND SWNW QUARTERS AND 1.18 CFS. MAGIC WEST ONLY OWNS 65 ACRES IN THE SENW AND THE SWNW QUARTERS. THE FILE SHOWS DON ANDERSON AS OWNER OF 61-00295 FOR THE SAME QUARTERS AND .34 CFS. DON ONLY OWNS 17 ACRES IN THE SWNE QUARTER WHICH MATCHES HIS DECREED AMOUNT AT 1"/ACRE. LISTING ALL 3 QUARTERS ON BOTH RIGHTS WAS PROBABLY A MISTAKE MADE IN THE DECREE.

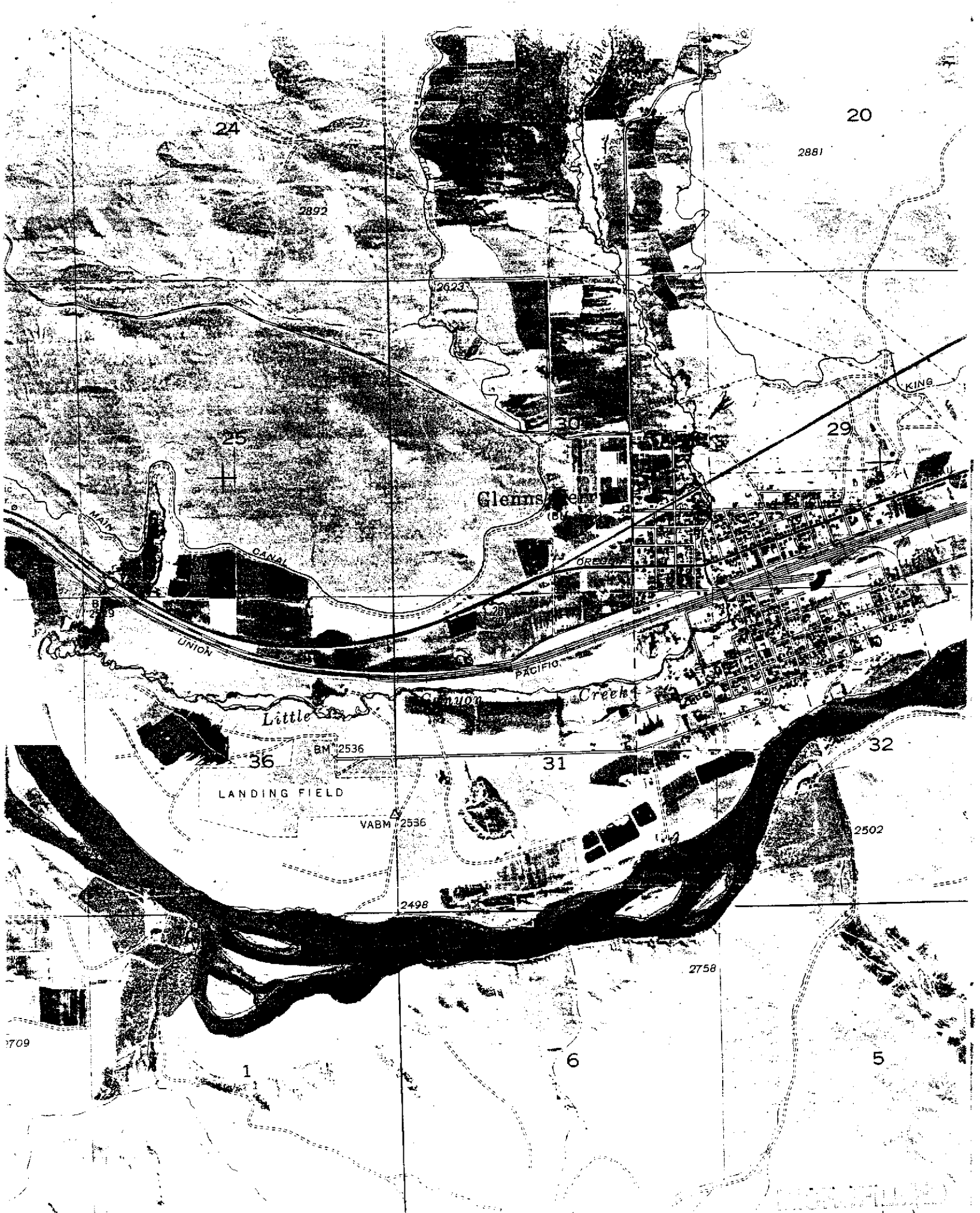
SINCE BOTH OF MAGIC WEST'S QUARTERS WERE LISTED ON BOTH DECREED RIGHTS, THEY CLAIMED THE ENTIRE AMOUNTS OF BOTH RIGHTS IN THE SRBA. BECAUSE MAGIC WEST ERRONEOUSLY FILED ON THE ANDERSON'S DECREED RIGHT 61-00295, ANDERSON HAD TO FILE CLAIM 61-00295B.

AFTER CONDUCTING A FIELD EXAM ON MAGIC WEST'S PERMIT 61-07520 ALSO USED ON THE 65 ACRES AND CONFIRMING THE ACTUAL ACRES THAT THEY OWN AND IRRIGATE, I RECOMMEND THAT A61-00294 BE INCREASED FROM 60 ACRES TO 65 ACRES AND THAT A61-00295~~A~~ BE DISALLOWED. THE ADDITIONAL FEE REQUIRED FOR THE 5 ACRE INCREASE ON A61-00294 CAN BE OBTAINED FROM THE FEES MAGIC WEST PAID FOR A61-00295~~A~~ RECEIPT #S009570.

*NOTE: WILL DETERMINE WHETHER TO DISALLOW THE A
PORTION DURING CLAIMS VERIFICATION FOR
BASIN 61.*

MICROFILMED

AUG 11 1992



MAGIC WEST 65 ACRES
1 17 17 ACRES

NOV 11 1982

WR-NUMBER:
61-0294

CURRENT OWNER:
MAGIC WEST
P.O. BOX 475
RUPERT, ID 833500000

PRIORITY DATE:
15-Mar-1986

STAGE:
DECREE

COUNTY: ELMORE
SOURCE: LITTLE CANYON CREEK
WATER USE: IRRIGATION

TRIBUTARY: SNAKE RIVER
DIVERSION-RATE:
1.180 CFS
1.180 CFS

DIVERSION-VOLUME:
0.00 AF
0.00 AF

TOTAL RATE:

TOTAL VOLUME:

REMARKS: FOR USE ON THE CORNER PRE-EMPTION.
TRANS. #2919.

DECREE STATES THAT QUANTITY OF WATER NECESSARY TO IRR. SAID

LANDS IS 1.0 INCHES/AC., THEREFORE AC. IRR. = 59.

PLACE OF USE:

T05S R10E S31 SWNE
T05S R10E S31 SENW
T05S R10E S31 SWNW

30 ACRES OWNED BY MAGIC WEST, NONE IN SWNE
35 ACRES

WR-NUMBER:
61-0295

PRESENT OWNER:
DON L. ANDERSON
P.O. BOX 423
GLENN'S FERRY, ID 836230000

PRIORITY DATE:
18-Nov-1986

STAGE:
DECREE

COUNTY: ELMORE
SOURCE: LITTLE CANYON CREEK
WATER USE: IRRIGATION

TRIBUTARY: SNAKE RIVER
DIVERSION-RATE:
0.340 CFS
0.340 CFS

TOTAL RATE:
TOTAL VOLUME:
DIVERSION-VOLUME:
0.00 AF
0.00 AF

REMARKS: FOR USE ON THE CORNER PRE-EMPTION.
DECREE STATES THAT QUANTITY OF WATER NECESSARY TO IRR. SAID
LANDS IS 1.0 INCHES/AC., THEREFORE AC. IRR. = 17.

PLACE OF USE:

T05S R10E S31 SWNE
T05S R10E S31 SENW
T05S R10E S31 SWNW

17 ACRES OWNED BY ANDERSON, NONE IN SENW or
SWNW

LT06