

# Idaho Department of Water Resources

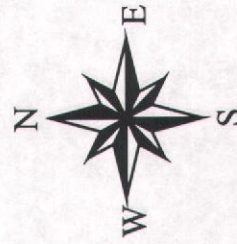
Owner(s)  
Hoffman  
Split 61-00252D  
Date: 3/22/00  
Prepared By:  
Ron Howerton

POD

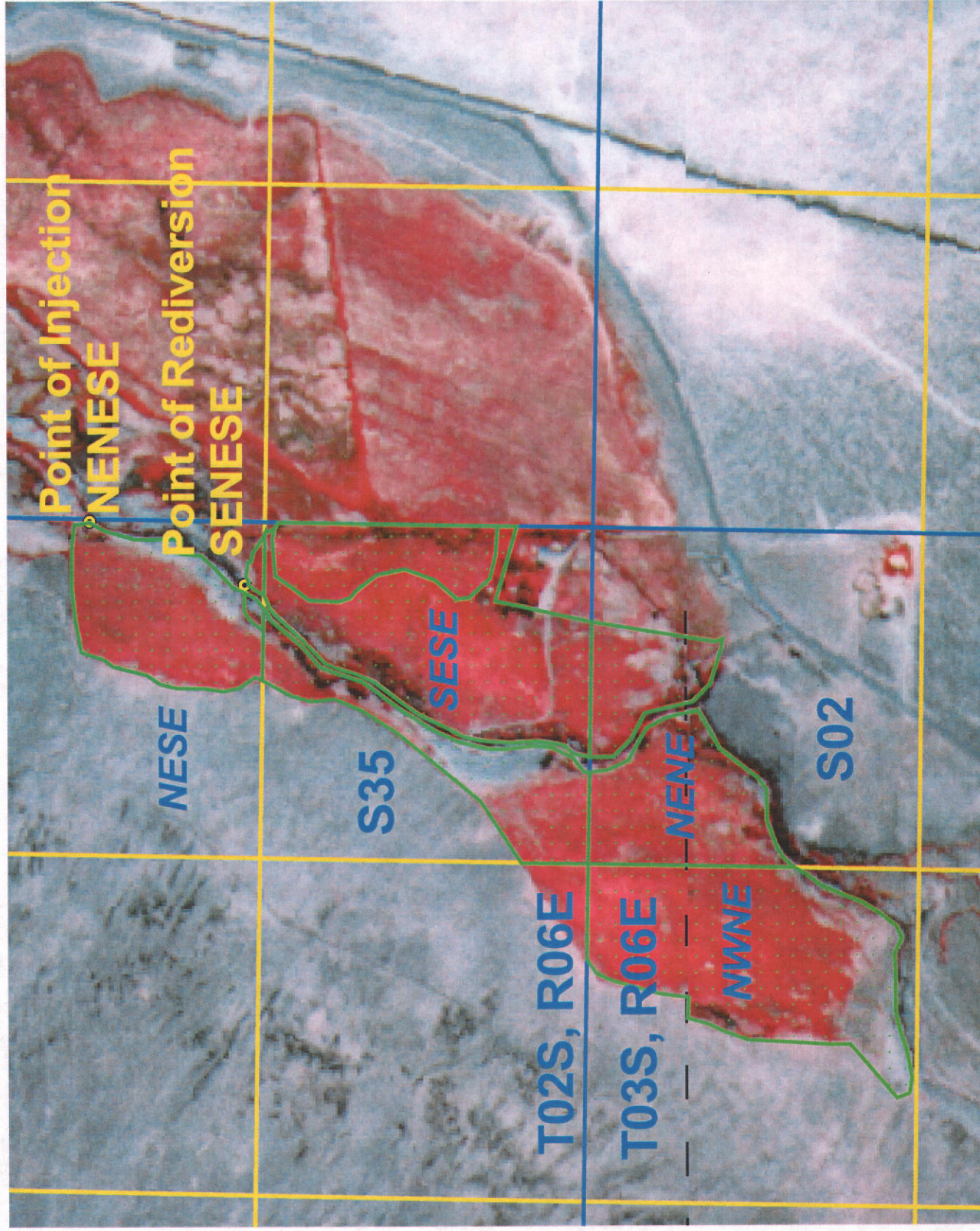
Place of Use

SECTION LINES

1/4 1/4 Lines



1987 NAPP



|           |     |     |     |     |
|-----------|-----|-----|-----|-----|
| 61-00352D | POB | POW | POD | POW |
|           |     | 354 |     |     |
|           |     | 355 | 335 | 355 |
|           |     | 356 | 4   | 356 |
|           |     | 357 | 11  | 357 |
|           |     | 358 | 11  | 358 |
|           |     | 359 | 11  | 359 |
| ✓         | ✓   |     | ✓   | ✓   |

|   |   |   |   |
|---|---|---|---|
| ✓ | ✓ | ✓ | ✓ |
|---|---|---|---|

\* OLD CLAIMS  
- 10033  
252A

## DATA BASE CHANGES

|           |           |
|-----------|-----------|
| 61-00252B | 61-10033B |
| POD       | POD       |
| 336       | 336       |
| SAME      | SAME      |

NEW OWNER - HOFFMAN  
NO CHANGES - NO SPLIT  
61-10034 / OVERLAPED BY  
61-00252 D & 61-10033B.

HOFFMAN  
SPCIT

TINDALL- SPLIT (DATA BASE)

|           |           |
|-----------|-----------|
| 61-002520 | 61-10033A |
| POD #     | POD #     |
| 333,334   | 497       |
| 335       | 497       |
| OLD #     | OLD #     |
| SAME      | 356       |
| 356       | SAME      |

355

\*OLD CLAIMS  
POW 61-10033  
61-00252A

# Idaho Department of Water Resources

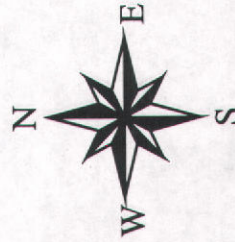
Owner(s)  
EXCEPTIONS VS  
Hoffman Ownership  
Changes  
Date: 3/22/00  
Prepared By:  
Ron Howerton

-  Exceptions  
6.5 Acres  
Irrigation
-  Hoffman  
63.5 Acres  
Irrigation

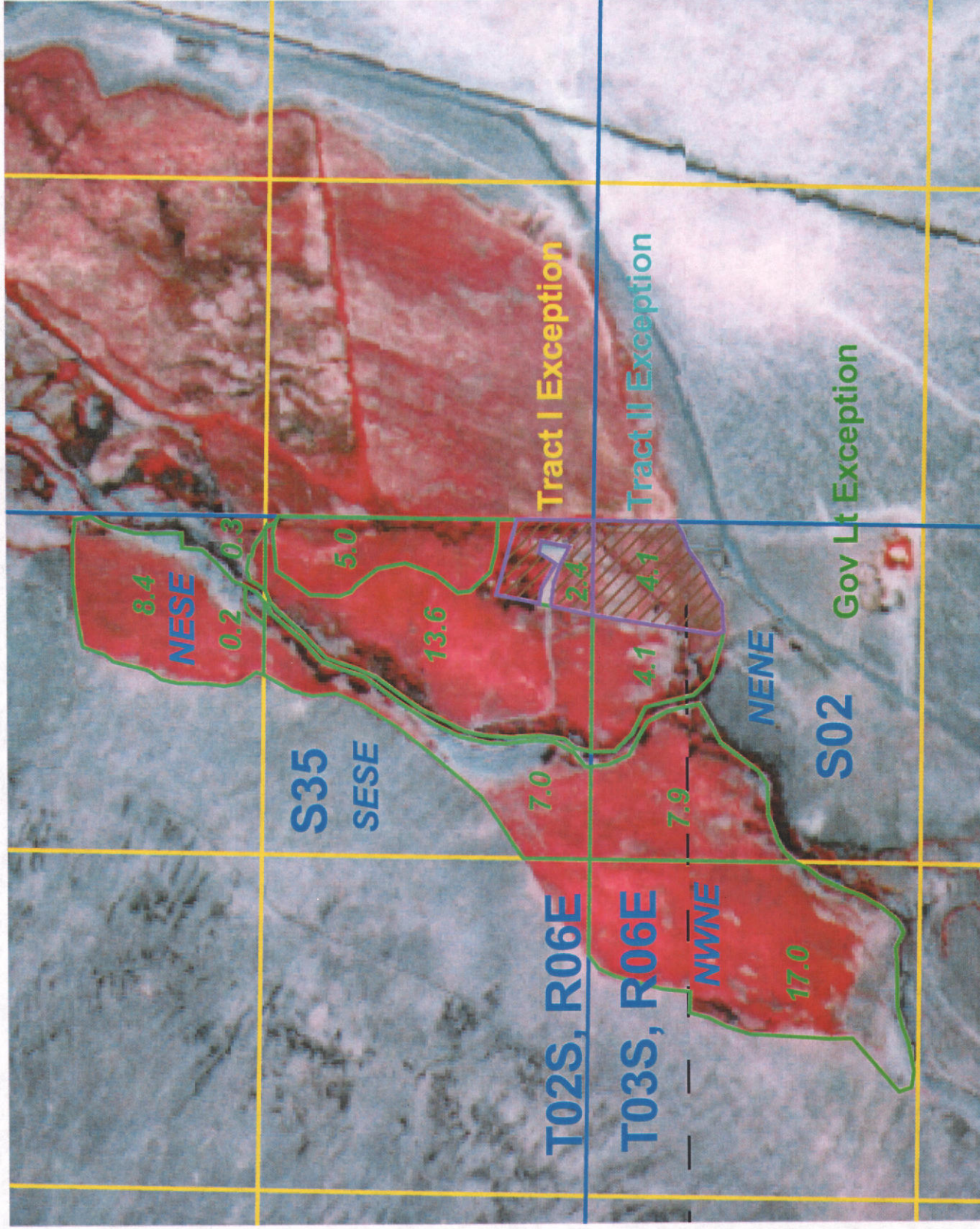
 SECTION LINES

 1/4 1/4 Lines

# Acres



**1987 NAPP**



R6E 1" = 660'

NAP

T528  
378

T257  
481

17.7

14.8

48.2 HEL

45.0

HEL

29.7

Spn



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: A61-00252A  
Date Received: 9/20/1989  
Receipt No: W006004  
Received By: R. L. H.

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CHESTER J TINDALL 208-587-3798  
Address: 550 N 8TH EAST  
MOUNTAIN HOME ID 83647
2. Date of Priority: JUL 27, 1887
3. Source: CANYON CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 02S      | 06E   | 35      | NE     | NE     | SE  | I   | ELMORE |
|          |       |         | SE     | NE     | SE  | R   | ELMORE |
|          |       | 36      | NW     | NE     | NW  |     | ELMORE |

5. Description of diverting works:  
DITCH FROM CREEK, GRAVITY FLOW FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.400 |      |        |

7. Total Quantity Appropriated is:  
1.400 C.F.S. (and/or) 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 |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 02S      | 06E   | 35      | NE     | SE  |     | IRR | 8.9   |
|          |       |         | SE     | SE  |     | IRR | 28.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |      |
|----------|-------|---------|------------|-----|---------------|-------|------|
|          |       |         |            |     | Section Acres | 36.9  |      |
| 03S      | 06E   | 2       | NE         | NE  | 1             | IRR   | 16.1 |
|          |       |         | NW         | NE  | 2             | IRR   | 17.0 |
|          |       |         |            |     | Section Acres | 33.1  |      |
|          |       |         |            |     | Total Acres   | 70.0  |      |

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:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

RICHARD BENNETT  
Decree Plaintiff

F. A. NOURSE  
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): Chester J. Lindall Date: 9/14/98  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of ADA ) SS.

Subscribed and sworn (or affirmed) before me this 14<sup>th</sup> day  
of Sept 19 98 Ron Howerton  
Notary Public

Seal

Residing at Ron Howerton  
Residing at Boise, Idaho  
My Commission Expires December 8, 2000

# Idaho Department of Water Resources

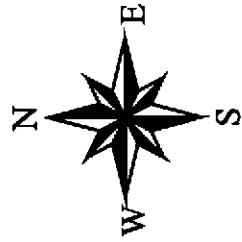
Owner(s)  
Hoffman  
Split 61-00252D  
Date: 3/22/00  
Prepared By:  
Ron Howerton

● POD

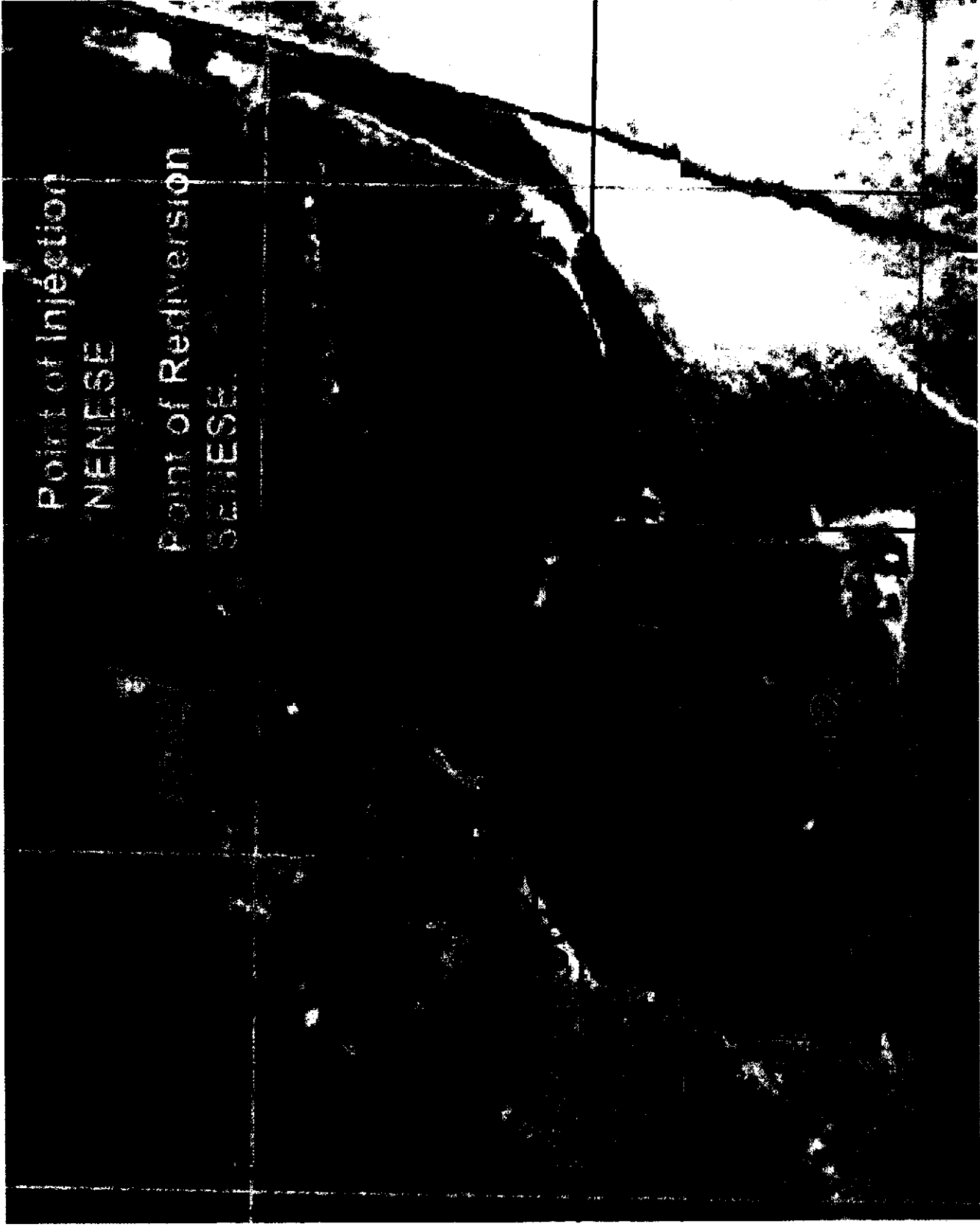
□ Place of Use

SECTION LINES

1/4 1/4 Lines



1987 NAPP



0 0.25 0.5 0.75 Miles

# WESTERN REGION

OWNER (S):

TINDALL, CHESTER

CLAIM NUMBERS:

61-00252A (LIVE FLOW Camp (R))

AGENT: RON HOWERTON

DATE 12/2/98

| RIGHT NO | TNS | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|----------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|          |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

POLYGON CREATED ON 803

POLYGON # ( ) ( ) ( ) ( ) UPDATED BY rdh

(done)

ATTRIBUTES OF B61-POU.SHP ( ) (354) (355) (356) (357) 358 359

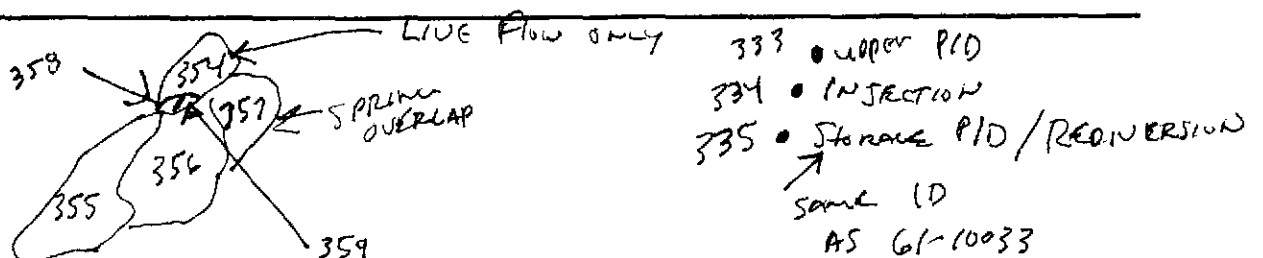
ATTRIBUTES OF B61-POD.SHP (333) (334) (335) ( ) ( )

B51-DBPOU.DBF UPDATED BY rdh

B51-DBPOD.DBF UPDATED BY rdh

NOTES:

SAME PID ID IN 535 SENSE AS 61-10033



SPLIT - HOFFMAN DATA BASE

| 61-00252D | POD | POW | 61-10033B | POD | POW |
|-----------|-----|-----|-----------|-----|-----|
|           |     | 354 |           |     |     |
|           |     | 355 | 335       |     | 355 |
|           |     | 356 | "         |     | 356 |
|           |     | 357 | "         |     | 357 |
|           |     | 358 | "         |     | 358 |
|           |     | 359 | "         |     | 359 |
| ✓         | ✓   | ✓   | ✓         | ✓   | ✓   |

POD 10#5  
333, 334, 335

\* OLD CLAIMS  
10033  
252A

\* OLD CLAIMS  
10033  
252A

| 61-00252D | POD  | POW  | 61-10033B | POD  | POW  |
|-----------|------|------|-----------|------|------|
| 336       | 357  | 356  | 357       | 356  | 357  |
| SAME      | SAME | SAME | SAME      | SAME | SAME |

DATA BASE  
CHANGES

NEW OWNER - HOFFMAN  
NO CHANGES - NO SPLIT  
61-10034 OVERLAPPED BY  
61-00252D & 61-10033B.

HOFFMAN  
SPLIT

\* OLD CLAIMS  
61-10033  
61-00252A

355  
\* OLD CLAIMS  
POW 61-10033  
61-00252A

TINDALL SPLIT (DATA BASE)

| 61-00252C | POD   | POW   | 61-10033A | POD   | POW   |
|-----------|-------|-------|-----------|-------|-------|
| 333, 334  | 497   | 335   | 497       | 497   | 497   |
| 335       | 497   | 335   | 497       | 497   | 497   |
| OLD H     | OLD H | OLD H | OLD H     | OLD H | OLD H |
| SAME      | 356   | SAME  | SAME      | 356   | 356   |

# Idaho Department of Water Resources

Owner(s)  
 EXCEPTIONS VS  
 Hoffman Ownership  
 Changes  
 Date: 3/22/00  
 Prepared By:  
 Ron Howerton

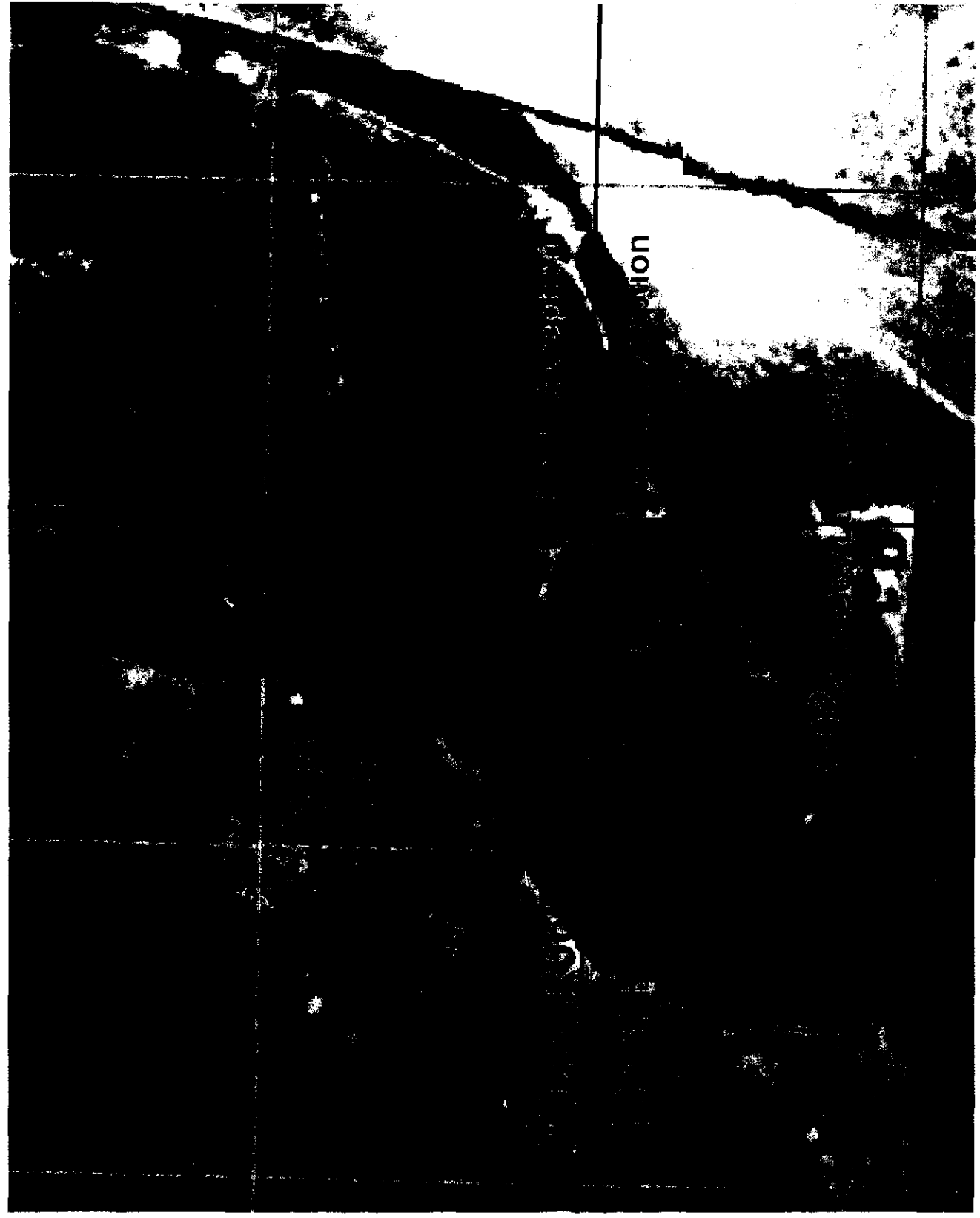
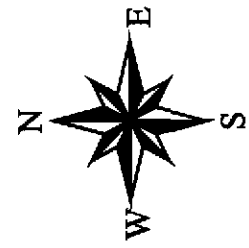
Exceptions  
 6.5 Acres  
 Irrigation  
 Hoffman  
 63.5 Acres  
 Irrigation



SECTION LINES

1/4 1/4 Lines

# Acres



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-6-2000  
PAGE: A-3-----  
RIGHTS FROM: SOURCE: CANYON CREEK TRIBUTARY: SNAKE RIVER  
-----

RIGHT NUMBER: 61-002520

NAME & ADDRESS: TED HOFFMAN  
RITA HOFFMAN  
RT 1 BOX 815  
MOUNTAIN HOME ID 83647

SOURCE: CANYON CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.27 CFS

USE OF THIS RIGHT WITH RIGHT NO. 61-10034 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 1.27 CFS.

PRIORITY DATE: 07/27/1887

POINT OF DIVERSION: T02S R06E S36 NWNEW Within ELMORE County  
S35 NENESE (INJECTION)  
SENESE (REDIVERSION)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|----------------|---------------|----------|
| IRRIGATION                    |                | 03-15 11-15   | 1.27 CFS |

PLACE OF USE: IRRIGATION Within ELMORE County  
T02S R06E S35 NESE 8.9 SESE 25.6  
T03S R06E S02 Lot 1 (NENE)12 Lot 2 (NWNE)17  
63.5 ACRES TOTALUSE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 63.5 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-10033B & 61-10034.

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

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-6-2000  
PAGE: A-4

-----  
RIGHTS FROM: SOURCE: CANYON CREEK TRIBUTARY: SNAKE RIVER  
-----  
RIGHT NUMBER: 61-00252D (CONT)

## OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN BASIN 61:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE            | NONE   |

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN THE SNAKE RIVER BASIN:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE            | NONE   |

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES  
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED  
CONJUNCTIVELY.

## EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
MOUNTAIN HOME IRRIGATION DISTRICT.

RIGHT NO. 61-10033A & B ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED AS; T02S, R06E, S35, SENESE.

RIGHT NO. 61-00252C IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

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

|                |   |                           |
|----------------|---|---------------------------|
| In Re SRBA     | ) | SUBCASE NO. 61-00252A     |
|                | ) |                           |
| Case No. 39576 | ) |                           |
|                | ) | NOTICE OF COMPLETED       |
| _____          | ) | ADMINISTRATIVE PROCEEDING |

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

---

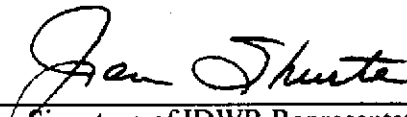
Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

---

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 7, 2000

  
\_\_\_\_\_  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on April 7, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls ID 83303-2707
2. One Copy to:  
Claimant/Seller for Substitution of Party or attorney of record:  
CHESTER J TINDALL  
550 N 8<sup>TH</sup> E ST  
MOUNTAIN HOME ID 83647
3. One Copy to:  
Claimant/Purchaser for Substitution of Party or attorney of record:  
CHESTER J TINDALL  
550 N 8<sup>TH</sup> E ST  
MOUNTAIN HOME ID 83647  
  
TED HOFFMAN  
RITA HOFFMAN  
RT 1 BOX 815  
MOUNTAIN HOME ID 83647
4. One Copy to:  
Each party in the subcase or attorney of record:  
N/A
5. One Copy to:  
Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449
6. One Copy to:  
United States Dept Of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

RECEIVED

MAR 20 2000

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): 61-002524, 61-10033, 61-10034, 61-10076, 61-11891  
 Adjudication Claim No(s): A 61-002524
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** showing the location of the place of use of the water right(s) or claim(s).  
 (These are usually attached to your deed or on file with the county.)
- OR**
- C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant Cheser Tindall  
550 N 8 E Mtn Home ID 83647
4. New Owner/Claimant(s) PAI TED Hoffman Rita Hoffman  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
 New Mailing Address Px 1 Box 15 (815)  
 City, State and ZIP Code Mtn Home ID 83647  
 New Telephone Number 208 587 6374
5. Date you acquired the property 1/3/00
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.
- |                                                                 |                                                        |
|-----------------------------------------------------------------|--------------------------------------------------------|
| Number of acres you irrigate with this water right <u>80/10</u> | Number and type of stock <u>450 cattle</u>             |
| Diversion rate in CFS <u>1.4</u>                                | Number of homes you acquired <u>2</u> Other uses _____ |
7. Signature of New Owner(s) or Claimant(s) Rita Hoffman  
Rita Hoffman  
 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 contacting 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 portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes 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 83301-3380  
(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  
(208) 525-7161

OWNER CODE C NAME & ADDRESS CHESTER J TINDALL 550 N 8TH E ST MOUNTAIN HOME ID 83647 (208) 587-3798  
Water Source: CANYON CREEK  
Tributary to: SNAKE RIVER  
Priority Date 07/27/1987  
Water Use IRRIGATION  
Use Period From 03-15 To 11-15  
Diversion Rate 1400 CFS  
Diversion Volume  
Total Diversion: 1400 CFS  
Stage: DECREED  
ELMORE County  
ELMORE County  
ELMORE County  
Ac (63.5)(0.02) = 1.27 cfs  
DATE

|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  |                                                         |  |  |  |  |  |  |  |  |  |                                                   |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |
|------------------------------------------------|--|--|--|--|--|--|--|--|--|---------------|--|--|--|--|--|--|--|--|--|---------------------------------------------------------|--|--|--|--|--|--|--|--|--|---------------------------------------------------|--|--|--|--|--|--|--|--|--|---------------------------------------|--|--|--|--|--|--|--|--|--|
| Point(s) of Diversion:                         |  |  |  |  |  |  |  |  |  | T02S R06E S36 |  |  |  |  |  |  |  |  |  | NNWNNW                                                  |  |  |  |  |  |  |  |  |  | ELMORE County                                     |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |
| Point(s) of Injection:                         |  |  |  |  |  |  |  |  |  | T02S R06E S35 |  |  |  |  |  |  |  |  |  | NENESE                                                  |  |  |  |  |  |  |  |  |  | ELMORE County                                     |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |
| Point(s) of Re-version:                        |  |  |  |  |  |  |  |  |  | T02S R06E S35 |  |  |  |  |  |  |  |  |  | SENESE                                                  |  |  |  |  |  |  |  |  |  | ELMORE County                                     |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |
| Place of use Legal Description for: IRRIGATION |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  |                                                         |  |  |  |  |  |  |  |  |  |                                                   |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | NW                                                      |  |  |  |  |  |  |  |  |  | SE                                                |  |  |  |  |  |  |  |  |  |                                       |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | NENE NNNW SNNW SENW                                     |  |  |  |  |  |  |  |  |  | NESW NNSW SWSW SESW                               |  |  |  |  |  |  |  |  |  | NESE NWSE SWE SESE                    |  |  |  |  |  |  |  |  |  |
| T R S                                          |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | : Lt AC Lt AC Lt AC Lt AC Lt AC Lt AC Lt AC Lt AC Lt AC |  |  |  |  |  |  |  |  |  | : Lt AC Lt AC Lt AC Lt AC Lt AC Lt AC Lt AC Lt AC |  |  |  |  |  |  |  |  |  | : Lt AC Lt AC Lt AC Lt AC Lt AC Lt AC |  |  |  |  |  |  |  |  |  |
| 02S 06E 35                                     |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
| 03S 06E 2                                      |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
| 01-02-17 OK                                    |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | 08                                                      |  |  |  |  |  |  |  |  |  | 08                                                |  |  |  |  |  |  |  |  |  | 25                                    |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
|                                                |  |  |  |  |  |  |  |  |  |               |  |  |  |  |  |  |  |  |  | :                                                       |  |  |  |  |  |  |  |  |  | :                                                 |  |  |  |  |  |  |  |  |  | :                                     |  |  |  |  |  |  |  |  |  |
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POU County: ELMORE 12

- Conditions of Approval:
- W05 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM MOUNTAIN HOME IRRIGATION DISTRICT.
  - C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61:
    - WATER RIGHT NO. SOURCE NONE
    - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:
      - WATER RIGHT NO. SOURCE NONE
      - ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 61-10034 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.5 CFS. 63.5

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 26 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-10033 & 61-10034.

EXP RIGHT NO. 61-10033 IS ALSO DIVERTED THROUGH POINT OF 10033B DIVERSION DESCRIBED AS: T02S, R06E, S35, SENESE.

10033A 10033B

ADD Exp Rmk F05 for right 61-00252C

AJ5809NP  
NO. 61-00252A

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00  
PAGE: 2

Dates: Exam Made Date: 07/18/1994 Verified Date: 11/18/1998 Objection Filed Date:

Misc: Water District Number: 61A Field Inspection Flag:  
Presumption Flag:

Comments: 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.

Audit: 10/21/98 RHOWERTO 11/18/98 RHOWERTO 11/21/98 AJU10-JS 02/11/99 CPDSHAFF  
02/18/99 ADT-DSNA



# OWNER'S POLICY OF TITLE INSURANCE

POLICY NUMBER

A60-482479

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, COMMONWEALTH LAND TITLE INSURANCE COMPANY, a Pennsylvania corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Policy to become valid when countersigned by an authorized officer or agent of the Company.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Attest:

*Wm. Chadwick Perrine*

Secretary



By:

*Janet A. Alpert*

President

## EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the affect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the Insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
  - (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
  - (b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
    - (i) to timely record the instrument of transfer; or
    - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

prosecute an action or proceeding to establish the title to the estate or interest, as insured, or to prevent or reduce loss or damage to the insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this policy. If the Company shall do so diligently.

obligated to pay  
Upon the exercise by the Company of either of the options provided for in paragraphs (b)(i) or (ii), the Company's obligations to the insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute or continue any litigation.

**POLICY OF TITLE INSURANCE  
SCHEDULE A**

**Amount of Insurance:** \$175,000.00

**Policy No.:** A60-482479

**Premium:** \$780.00

**File No.:** 99-914

**Date of Policy:** January 5, 2000 at 3:42 P.M.

**1. Name of Insured:**

Theodore W. Hoffman and Rita S. Hoffman, husband and wife

**2. The estate or interest in the land which is covered by this policy is:**  
fee simple

**3. Title to the estate or interest in the land is vested in:**

Theodore W. Hoffman and Rita S. Hoffman, husband and wife

**4. The land referred to in this policy is described in the said instrument, is situated in the**  
County of Elmore, State of Idaho, and is identified as follows:

(See Attached)

Countersigned: 

Dennis H. Wetherell/Mary Eguasquiza  
Authorized Officer or Agent

LEGAL DESCRIPTION

TRACT :

Township 2 South, Range 6 East, Boise Meridian, Elmore County, Idaho

Section 23: S1/2NE1/4SW1/4

Section 35: E1/2SE1/4

SAVING, EXCEPTING AND EXCLUDING the following described portion of said real property, to wit:

A tract of land located in the SE1/4SE1/4, Section 35, Township 2 South, Range 6 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the section corner common to Sections 35 and 36, Township 2 South, Range 6 East, Boise Meridian, and Sections 1 and 2, Township 3 South, Range 6 East, Boise Meridian; thence  
South 89°26'53" West, 368.49 feet along the section line common to Section 35, Township 2 South, Range 6 East, Boise Meridian, and Section 2, Township 3 South, Range 6 East, Boise Meridian, to an iron pin; thence  
North 9°06'16" East 83.91 feet to an iron pin; thence  
North 12°07'31" East 294.50 feet to an iron pin; thence  
South 77°09'33" East 244.01 feet to an iron pin; thence  
South 77°09'33" East 56.85 feet, more or less, to a point on the section line common to Sections 35 and 36, Township 2 South, Range 6 East, Boise Meridian; thence  
South 89°26'53" West, 368.49 feet, more or less, along the section line common to Sections 35 and 36, Township 2 South, Range 6 East, Boise Meridian, to the POINT OF BEGINNING.

(See Attached)

LEGAL DESCRIPTION

TRACT II:

Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho

Section 2: U.S. Government Lots 1 and 2

SAVING, EXCEPTING AND EXCLUDING the following described portion of said real property, to-wit:

A tract of land located in the NE1/4NE1/4, Section 2, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

Beginning at the section corner common to Sections 35 and 36, Township 2 South, Range 6 East, Boise Meridian, and Sections 1 and 2, Township 3 South, Range 6 East, Boise Meridian; thence  
South 89°26'53" West 368.49 feet along the section line common to Section 35, Township 2 South, Range 6 East, Boise Meridian, and Section 2, Township 3 South, Range 6 East, Boise Meridian, to an iron pin; thence  
South 9°06'16" West 457.50 feet to an iron pin; thence  
South 22°14'58" East 373.13 feet to an iron pin on the approximate North right-of-way of Canyon Creek Road; thence  
North 41°11'11" East 144.11 feet along the North right-of-way of Canyon Creek Road to a point; thence  
North 51°20'30" East 102.45 feet along the North right-of-way of Canyon Creek Road to a point; thence  
North 56°27'50" East 103.17 feet along the North right-of-way of Canyon Creek Road to a point; thence  
North 59°51'00" East 76.53 feet along the North right-of-way of Canyon Creek Road to an iron pin; thence  
North 0°13'44" West 563.50 feet along the section line common to Sections 1 and 2, Township 3 South, Range 6 East, Boise Meridian, to the POINT OF BEGINNING.

ALSO SAVING, EXCEPTING AND EXCLUDING the following described portion of said real property, to-wit:

That portion of the NE1/4NE1/4 (U.S. Government Lot 1), of Section 2, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho; lying South and East of the right-of-way for Canyon Creek Road.

(See Attached)

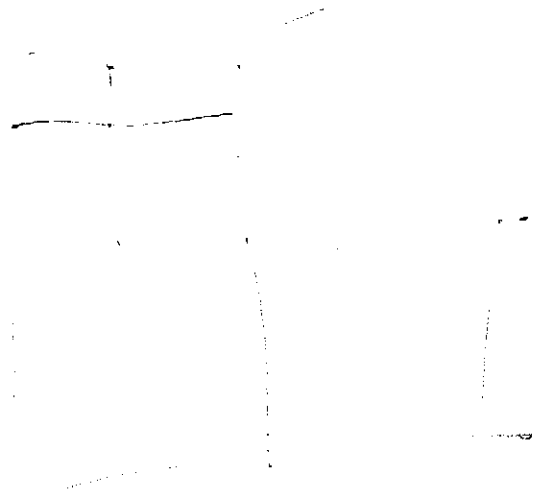
DETAILED DESCRIPTION

TRACT III:

Township 1 South, Range 6 East, Boise Meridian, Elmore County, Idaho

Section 26: NW1/4SW1/4

Section 27: NW1/4NE1/4, N1/2SE1/4, SW1/4SE1/4



R6E / " = 7600

T528  
398

T257  
461

Spr

EL

**SEE ORIGINAL**  
**CLAIM FILE**  
**DOCUMENTS IN**  
**CLAIM**  
**NO. A**61 - 00252A

Conditions of Approval:

- W05      USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- MOUNTAIN HOME IRRIGATION DISTRICT.
- C15      THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 61:
- WATER      RIGHT NO.      SOURCE
- NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:

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

DATE: 04/04/00  
PAGE: 2

Conditions of Approval:

WATER RIGHT NO. SOURCE  
NONE NONE  
- ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES  
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED  
- CONJUNCTIVELY.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 61-10034 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 1.27 CFS.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 63.5 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-10033B & 61-10034.

EXP RIGHT NO. 61-10033A & B ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED AS; T02S, R06E, S35, SESESE.  
RIGHT NO. 61-00252C IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 61A Field Inspection Flag:  
Presumption Flag:

Comments: 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: 04/04/2000 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE  
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT IS A  
RESULT OF A SPLIT DUE TO CHANGE IN OWNERSHIP.

Audit: 04/04/00 DBUFFING



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

April 7, 2000

TED HOFFMAN  
RITA HOFFMAN  
RT 1 BOX 815  
MOUNTAIN HOME ID 83647

Re: Original Notice of Claim to a Water Right No. 61-00252A

Renumbered Notice of Claim to a Water Right No. 61-00252D

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section  
Western Region

DB:db

Enclosure