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In File

Jodi

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: A67-11474
Date Received: 9/28/1989
Receipt No: C011845
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH L. WESTFALL 208-253-4345
Address: P.O. BOX 465
COUNCIL, ID 83612

OR

Name: BARBARA J. WESTFALL 208-253-4345
Address: P.O. BOX 465
COUNCIL, ID 83612

2. Date of Priority: MAY 02, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	23	SW	NE	NW		ADAMS

5. Description of diverting works:

WELL, 246' DEEP, 6" CASING, SUBM. PUMP, PIPE TO HOME & 3 OUTLETS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCK, 18 RANGE

10...Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	23	NE	NW		DOMEST	
			NE	NW		STOCK	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
5 SHARES - REINHART DITCH CO.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

CIVIL CASE NUMBER: 39576

Identification No. AG7-11474Date Received 9/28/89Receipt Number COH 845NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Kenneth L. or Barbara J. Westfall Phone (208) 253-4345Mailing Address P.O. Box 465 Council, Idaho Zip 836122. Date of Priority (Only one per claim) 5-2-1972 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 16 N Range 1 WSection 23, SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, BM.,County of Adams

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. well 246' deep 6" casing submersible pump - pipe to house and 3 outlets

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

For Domestic purposes from 1/1 to 12/31 amount 0.04 (cfs)For Stock purposes from 1/1 to 12/31 amount 0.02 (Both dates are inclusive)7. Total quantity claimed 0.06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully, (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 House, 16 Head Beef - 2 horses

MICROFILMED

OCT 05 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

10. Place of use is: Township: -16 N Range 1 W

Section 23 NE 1/4 of NW 1/4, Govt. Lot _____, B.M.,

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

Additional places of use, if any _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above. None ☒

14. Remarks: Reinhart Ditch Co - 5 shares
£

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

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

Number of Attachments 0 no docket

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

Signature of Claimant (s) Babara J. Westfall Date 9-27-89
_____ Date _____

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

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 27th day of September 1989

SEAL

Notary Public [Signature]

Residing at _____

My Commission Expires My Commission Expires 12/31/1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 05 1992

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

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

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

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

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME WestfallCLAIM IDENT. NO. A67-11474DATE RECEIVED 9/28/89CK # 201845AMOUNT \$ 2500

YES

NO

Required
Info?

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

Claim checked by: ABDate: 4/4/96Claim must be returned to claimant: ☒ (Yes) ☐ (No)Claimant must be notified of modifications: ☒ (Yes) ☐ (No)

Receipt Prepared by: Joder
 Claim data entered by: Joder
 Sent to claimant by: Joder

Date:
 Date:
 Date:

Checked by: MICROFILMEDComments:

OCT 05 1992

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 67-11474

NAME & ADDRESS: THOMAS W EHRCOOD
DELORES JEAN EHRCOOD
PO BOX 752
COUNCIL ID 83612

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 05/02/1972

POINT OF DIVERSION: T16N R01W S23 SWNW Within ADAMS County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within ADAMS County
T16N R01W S23 NENWDOMESTIC Within ADAMS County
T16N R01W S23 NENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 18 RANGE CATTLE
PARCEL NO. MH16N01W230807A

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 67-11474
_____	)	

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

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

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 67-11474

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
9/3/1999

67-11474

PAGE 1

From (Claimant/Seller):

Name of Claimant: BARBARA J WESTFALL
KENNETH L WESTFALL
Address: PO BOX 465
COUNCIL ID 83612
Phone: (208) 253-4345

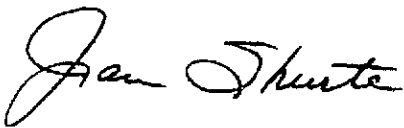
To (Claimant/Purchaser):

Name of Claimant: THOMAS W EHRCOOD
DELORES JEAN EHRCOOD
Address: PO BOX 752
COUNCIL ID 83612
Phone: (208) 253-1182

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 Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: September 3, 1999



Signature of IDWR Representative

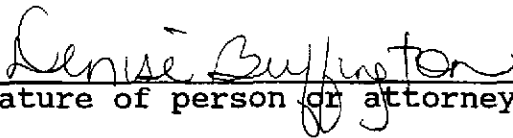
CERTIFICATE OF MAILING

I certify that on *September 3, 1999* 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

BARBARA J WESTFALL
KENNETH L WESTFALL
PO BOX 465
COUNCIL ID 83612
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

THOMAS W EHRCOOD
DELORES JEAN EHRCOOD
PO BOX 752
COUNCIL ID 83612
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. 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

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.

RECEIVED

APR 09 1999

WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) 67-11474
Adjudication Claim Number(s) _____
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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Barbara J. Westfall, Kenneth L. Westfall
P.O. Box 465, Council, ID 83612
4. New Owner/Claimant(s) Thomas W. Ehrgood or Delores Jean Ehrgood
Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR
New Mailing Address P.O. Box 752
City, State and ZIP Code Council, ID 83612
New Telephone Number (208) 253-1182
5. Date you acquired the property 7/1/97
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.

N/A

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

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/Claimant(s) Thomas W. Ehrgood Date 4-6-99
Delores J. Ehrgood Date 4-5-99
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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, and, if a required claim for the water right has not been filed, to file the needed claim.

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 IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

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 believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of 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. If the property you have purchased is only a portion of the property owned by the former owner/seller, 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, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (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

COPY

For Value Received, BILLY G. McKAY and CONSTANCE J. McKAY, husband and wife
the grantors , do hereby grant, bargain, sell and convey unto
THOMAS W. EHRCOOD and DELORES JOAN EHRCOOD, husband and wife
the grantees, whose current address is, P.O. BOX 337, Netarts, OR 97143
the following described premises, in Adams County, Idaho, to-wit:

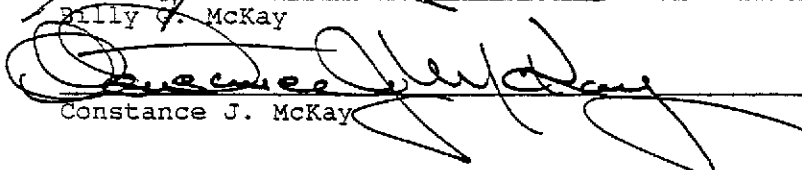
Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 23: S1/2S1/2NE1/4NW1/4 and S1/2S1/2NW1/4NE1/4

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees
their heirs and assigns forever. And the said Grantors do hereby covenant to and with
the said Grantees, that they are the owners in fee simple of said premises; that
they are free from all encumbrances excepting for all easements of record, rights of way,
matters visible, and all matters of record and title.

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

Date: June 24, 1997


Billy G. McKay

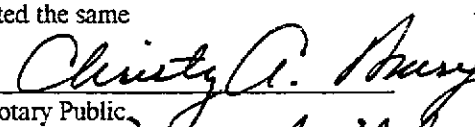

Constance J. McKay

STATE OF Idaho)
COUNTY OF Adams) ss

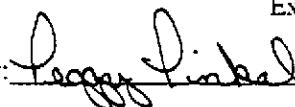
On this 20th day of June in the year of 1997, before me
a Notary Public, personally appeared
BILLY G. McKAY & CONSTANCE J. McKAY
known or identified to me to be the persons whose names
are subscribed to the within instrument, and acknowledged
to me that they executed the same

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

at 10 minutes past 9 o'clock AM.
this 1 day of July 19 97. in my
office, and duly recorded in Book
of Deeds at page

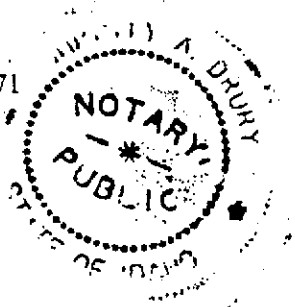

Notary Public
Residing at Trinitvale, Idaho
Commission expires: 8/4/98

MICHAEL FISK
Ex-Officio Recorder

By: 
Deputy

Fees \$ 3.00
Mail to: Timberline Title & Escrow

#97-271



COPY

Tim Felton
Attorney at Law
P.O. Box 267
Weiser, Idaho 83672
(208) 549-3763

WARRANTY DEED

GRANTOR Kenneth L. Westfall and Barbara Westfall, husband and wife, of Council, County of Adams, State of Idaho, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto BILLY G. MCKAY and CONSTANCE J. DAVIES, unmarried individuals, whose current address is P.O. Box 112, Oakhurst, State of California as GRANTEES and as JOINT TENANTS, all of the following described real estate located in the County of Adams, State of Idaho:

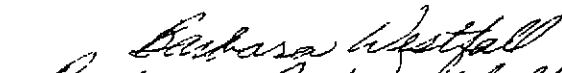
In Township 16 North, Range 1 West, Boise Meridian the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$
and the S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ all in Section 23, being approximately 20 acres.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

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

Grantors, for themselves, their heirs and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the grantees forever against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 11 day of September, 1991.

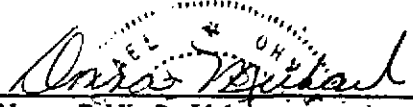
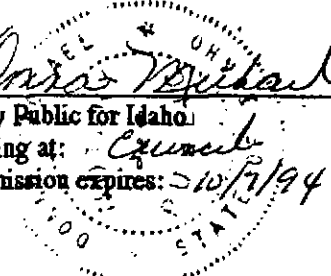

Barbara Westfall

Kenneth L. Westfall

STATE OF IDAHO)
) ss.
County of Adams)

On this 11 day of September, 1991, before me the undersigned, a Notary Public for Idaho, personally appeared Kenneth L. Westfall and Barbara Westfall, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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


Notary Public for Idaho
Residing at: Council
Commission expires: 10/7/94


INSTRUMENT NO. 80922

State of Idaho }
County of Adams } ss.

Filed for record at the request of
Timberline Title & Escrow

05 min. past 10 o'clock A.M.

this 11 day of September 1991

Bk 43M of Deeds PG. 426

MICHAEL FISK, RECORDER

by *[Signature]* Deputy
Fee \$3.00

WARRANTY DEED

Kenneth L. & Barbara Westfall

to

Billy G. McKay

Constance J. Davies

September 11, 1991

AJ0749NP
No. 67-11474

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

DATE: 09/01/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS W EHRCOOD	05/02/1972	STOCKWATER	01-01 12-31	0.020 CFS	
C	DELORES JEAN EHRCOOD PO BOX 752 COUNCIL ID 83612 (208) 253-1182		DOMESTIC	01-01 12-31	0.040 CFS	
				TOTAL DIVERSION:	0.060 CFS	
D	BARBARA J WESTFALL					
D	KENNETH L WESTFALL PO BOX 465 COUNCIL ID 83612 (208) 253-4345					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T16N R01W S23

SWNENW

ADAMS County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
16N	01W	23	:							S										:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
16N	01W	23	:							D										:

POU County: ADAMS

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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

67-10119 67-13902 A67-10119 A67-11474 A67-13902

Other Water Rights Listing Overlapping Place(s) of Use:

A67-04099 A67-11487

Conditions of Approval:

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

AJ0749NP
No. 67-11474

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

DATE: 09/01/99
PAGE: 2

=====

Remarks: EXP STOCKWATER, 18 RANGE CATTLE
PARCEL NO. MH16N01W230807A

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

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

Comments: Date: 02/21/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS
5 SHARES - REINHART DITCH CO.

Date: 09/01/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 09/01/99 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 3, 1999

RE: Water Right No. 67-11474

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS W EHRCOOD
DELORES JEAN EHRCOOD
PO BOX 752
COUNCIL ID 83612

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. 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.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: Barbara J and Kenneth L Westfall

AJ0749NP
No. R67-11474

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

DATE: 11/18/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BARBARA J WESTFALL	05/02/1972	STOCKWATER	01-01 12-31	0.02 CFS	
C	KENNETH L WESTFALL		DOMESTIC	01-01 12-31	0.04 CFS	
	PO BOX 465					
	COUNCIL ID 83612			TOTAL DIVERSION:	0.06 CFS	
	(208) 253-4345					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T16N R01W S23

SWNENW

ADAMS County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16N	01W	23	:							S									

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16N	01W	23	:							D									

POU County: ADAMS

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

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

Remarks: EXP STOCKWATER, 18 RANGE CATTLE
PARCEL NO. MH16N01W230807A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ0749NP
No. R67-11474

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

DATE: 11/18/98
PAGE: 2

=====

Comments: Date: 02/21/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS
5 SHARES - REINHART DITCH CO.

Audit: 11/18/98 CWALKER

AJ5809NP
No. R67-11474

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/31/98
PAGE: 57

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BARBARA J WESTFALL	05/02/1972	STOCKWATER ✓	01-01 12-31 ✓	0.02 CFS ✓	
C	KENNETH L WESTFALL PO BOX 465 ✓ COUNCIL ID 83612 (208) 253-4345	✓	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.06 CFS	

Water Source: GROUNDWATER ✓

Tributary to:

Stage: BENEFICIAL USE ✓

Point(s) of Diversion: T16N R01W S23

SWNENW ✓

ADAMS County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16N 01W 23	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16N 01W 23	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: ADAMS

Non-Irrigation Uses: 1 HOME ~~EXP~~

Other Rights: NONE

Conditions of Approval:

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

Remarks: EXP STOCK, 18 RANGE
MH16N01W230807A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/21/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS

AJ5809NP
No. R67-11474

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/31/98
PAGE: 58

Comments: Date: 02/21/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS
5 SHARES - REINHART DITCH CO.

del (Date: 02/21/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS
5 SHARES - REINHART DITCH CO.)

Audit: 02/21/97 CORR4 02/25/97 CORR5

OLD (D) NUMBER -

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

1 - P.O. BOX 465

2 -
3 -

CITY- COUNCIL

STATE- ID ZIP- 83612

PHONE - 208-253-4345

1 - P.O. BOX 465

2 -
3 -

CITY- COUNCIL

STATE- ID ZIP- 83612

PHONE - 208-253-4345

+ - - PRIORITY DATE - - +
05/02/1972

+ - - - REGION - - - +
14 WESTERN

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - -
GROUNDWATER

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

[illegible]

16N 01W 23 SW NE NW (3) ADAMS

[illegible]

43 - DOMESTIC

01/01 12/31

0.040

04 - STOCKWATER

01/01 12/31

0.020

+ - TOTAL DIV. RATE - +	+ - TOTAL DIV. VOLUME - +	+ - TOTAL DIV. CAPACITY - +	+ - TOTAL CONSUMPTIVE USE - +	+ - KW USAGE - +
0.060			0.0	

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
-----	-----	-----	-------	-----	-------	----------------------	-------------	--------

16N	01W	23	NE	NW
16N	01W	23	NE	NW

04 STOCKWATER
43 DOMESTIC

(3) ADAMS
(3) ADAMS

+ - - DIVERSION MEANS - WELL, 246' DEEP, 6" CASING, SUBM. PUMP, PIPE TO HOME & 3 OUTLETS

+ - - NON-IRRIGATION USE - DOMESTIC, 1 HOME; STOCK, 18 RANGE

+ - - OTHER RIGHTS FOR SAME USE - NONE

	REMARKS
5 SHARES - REINHART DITCH CO.	

+ - - - - OLD WATER RIGHT NUMBERS - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER - A67-11474

PREFIX TRANSLATION: ADJUDICATION CLAIM

- - - CONDITIONS OF APPROVAL - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 04/13/90 SRBA

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 09/28/1989
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - C011845
POU OWNERSHIP FLAG - Y
NAME CONNECTOR - OR

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT -
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -
NOTICE OF ERROR FLAG -

M4 16NO1W230807A

PROOF
MAR 05 1992

DATA ENTRY

ENTERED MB 2-21
CHECKED 74 2-25

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

VERIFIED
APR 10 1992

CERTIFIED
MAY 1 1992
WATER EXAMINER