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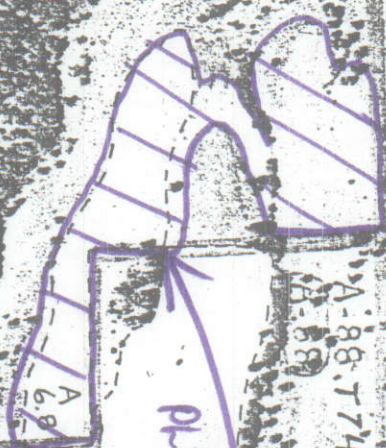
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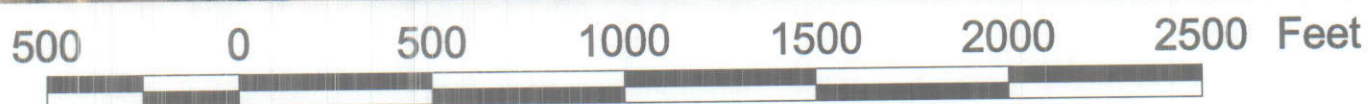
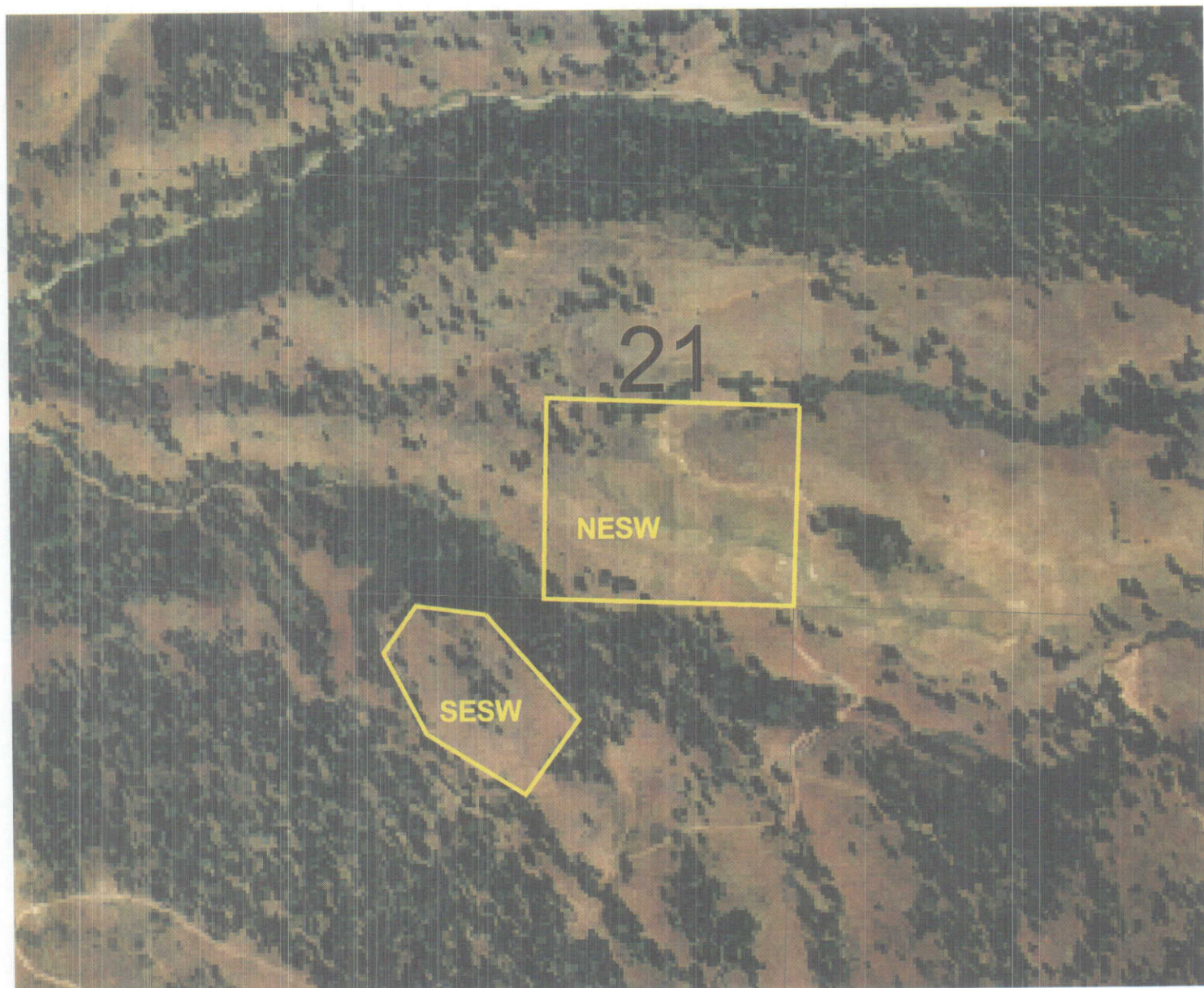


PLACE OF
USE
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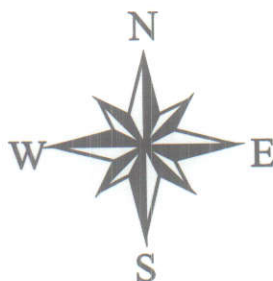
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Idaho Department of Water Resources
67-2399



T16N, R04W, S21



Prepared by Anita L. Warntjes
February 6, 2004
1993/94 True Color Photo

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 67-2399
Date Received: 4/19/1989
Receipt No: W002596
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KENNETH F DOWNEY
2373 LAPPIN LN
COUNCIL ID USA 83612

Phone: (208) 253-6124

DIANE E DOWNEY
2373 LAPPIN LN
COUNCIL ID USA 83612

Phone: (208) 253-6124

2. Date of Priority: 12/01/1928

3. Source: SEID CREEK Trib. to: PINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	04W	22	SW NW	WASHINGTON	

5. Description of diverting works:

4" PIPE IN CREEK TO POND W/2" PIPE DOWN TO LAND FOR GRAVITY IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.24	48

7. Total Quantity Appropriated is:

0.24 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	04W	21	NE	SW	IRRIGATION	12
			SE	SW	IRRIGATION	5
					Section Acres	17
					Total Acres	17

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 11/3/2003

SOURCE KNOWN LOCALLY AS MILK CREEK.

ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/12/99 SS.

15. Basis of Claim: License

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

RECEIVED

OCT 21 2003

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

WATER RESOURCES
WESTERN REGION

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	67-2399				

RECEIVED

OCT 30 2003

WATER RESOURCES
WESTERN REGION

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. ☒

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) Dale Howell
3730 Hwy. 71, Cambridge, ID 83610
4. New Owner/Claimant(s) Kenneth F. Downey Diane Downey
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 2373 Lappin Lane
 City, State and ZIP Code Council, ID 83612
 New Telephone Number (208) 253-6124
5. Date you acquired the property 10-20-03

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

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

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

7. Signature of New Owner(s) or Claimant(s) Kenneth F. Downey
(include title if applicable) Owner Downey

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

For Office Use Only			
Received by <u>DH</u>	Date <u>10-24-03</u>	Fee <u>0</u>	
Received by _____	Date _____	Receipt No. _____	
Processed by _____ AJ	Date _____	WR _____	Date _____

191588

Approved by:
Initials _____

COPY



Warranty Deed



FOR VALUE RECEIVED, DALE HOWELL and LaVON HOWELL, husband and wife, the Grantors, do hereby, grant, bargain, sell and convey unto KENNETH F. DOWNEY and DIANE DOWNEY, husband and wife, the Grantees, whose address is 2373 LAPPIN LANE, COUNCIL, ID 83612, the following described real estate situated in Washington County, State of Idaho, to-wit:

See attached Legal Description.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their successors 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 said premises are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 20th day of October, 2003.


Dale Howell


LaVon Howell

STATE OF IDAHO)
County of Washington) : SS

Instrument # 191588

WEISER, WASHINGTON, IDAHO

2003-10-20 11:01:30 No. of Pages: 2

Recorded for : WASHINGTON COUNTY TITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: 0000

Fee: \$ 6.00

On this 20th day of October, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared DALE HOWELL and LAVON HOWELL known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

PAULA L. THOMSEN
NOTARY PUBLIC
STATE OF IDAHO



Notary Public for Idaho

Residing at Weiser, Idaho

Commission expires: 3-11-2009

Legal Description to Warranty Deed

IN WASHINGTON COUNTY, IDAHO:

IN TOWNSHIP 16 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

In Section 20: ~~SE~~¹/₄NE¹/₄SE¹/₄, and all that part of the SE¹/₄SE¹/₄ lying East of the right of way of State Highway No. 71;

In Section 21: ⁶⁷⁻²³⁹⁹ ✓ S¹/₂N¹/₂NE¹/₄SW¹/₄, S¹/₂NE¹/₄NW¹/₄SW¹/₄, S¹/₂NW¹/₄SW¹/₄, S¹/₂SW¹/₄,
S¹/₂NE¹/₄SW¹/₄, and W¹/₂SW¹/₄SE¹/₄. ~~SE~~

T 16

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N-2

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773

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: A67-02399
Date Received: 4/19/1989
Receipt No: W002596
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DALE J HOWELL
Address: 3730 HWY 71
CAMBRIDGE ID

208-257-3467

83610

2. Date of Priority: DEC 1, 1928

3. Source: SEID CREEK

Trib. to: PINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04W	22		SW	NW		WASHINGTON

5. Description of diverting works:

4" PIPE IN CREEK TO POND W/2" PIPE DOWN TO LAND FOR GRAVITY IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.240		48.00

7. Total Quantity Appropriated is:

0.240 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
16N	04W	21	NE	SW		IRR	12.0
			SE	SW		IRR	5.0

10. Place of Use: Continued

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

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

SOURCE KNOWN LOCALLY AS MILK CREEK.

ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/12/99 SS.

15. Basis of Claim: LICENSE

Water Right Number: 17016



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

MAY 10 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

April 29, 1999

KARL J. DREHER
DIRECTOR

DALE J HOWELL
3730 HWY 71
CAMBRIDGE ID 83610

Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-10014, A67-02141 & A67-02399
Change of Address

*Records changed, NCAP prepared
5-12-99*

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by May 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Dale J Howell
Claimant Signature

208-257-3467
Telephone No.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A67-02399
Date Received: 4/19/1989
Receipt No: W002596
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE J. HOWELL
Address: HC 69, BOX 3700
CAMBRIDGE, ID 83610
208-257-3467
2. Date of Priority: DEC 01, 1928
3. Source: SEID CREEK Trib. to: PINE CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04W	22	SW	NW			WASHINGTON
5. Description of diverting works:
4" PIPE IN CREEK TO POND W/2" PIPE DOWN TO LAND FOR GRAVITY IRRIG
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.240		48.00
7. Total Quantity Appropriated is:
0.240 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
16N	04W	21	NE	SW		IRR	12.0
			SE	SW		IRR	5.0
Section Acres							17.0

10. Place of Use: Continued

Total Acres 17.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

SOURCE KNOWN LOCALLY AS MILK CREEK.

15. Basis of Claim: LICENSE

Water Right Number: 17016

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: 1

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): Dale J. Howell Date: 4/19/89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of April 19 89

Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

RECEIVED
OCT. 2, 1992

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29	28

A-336
A-300

7300

A-88-774

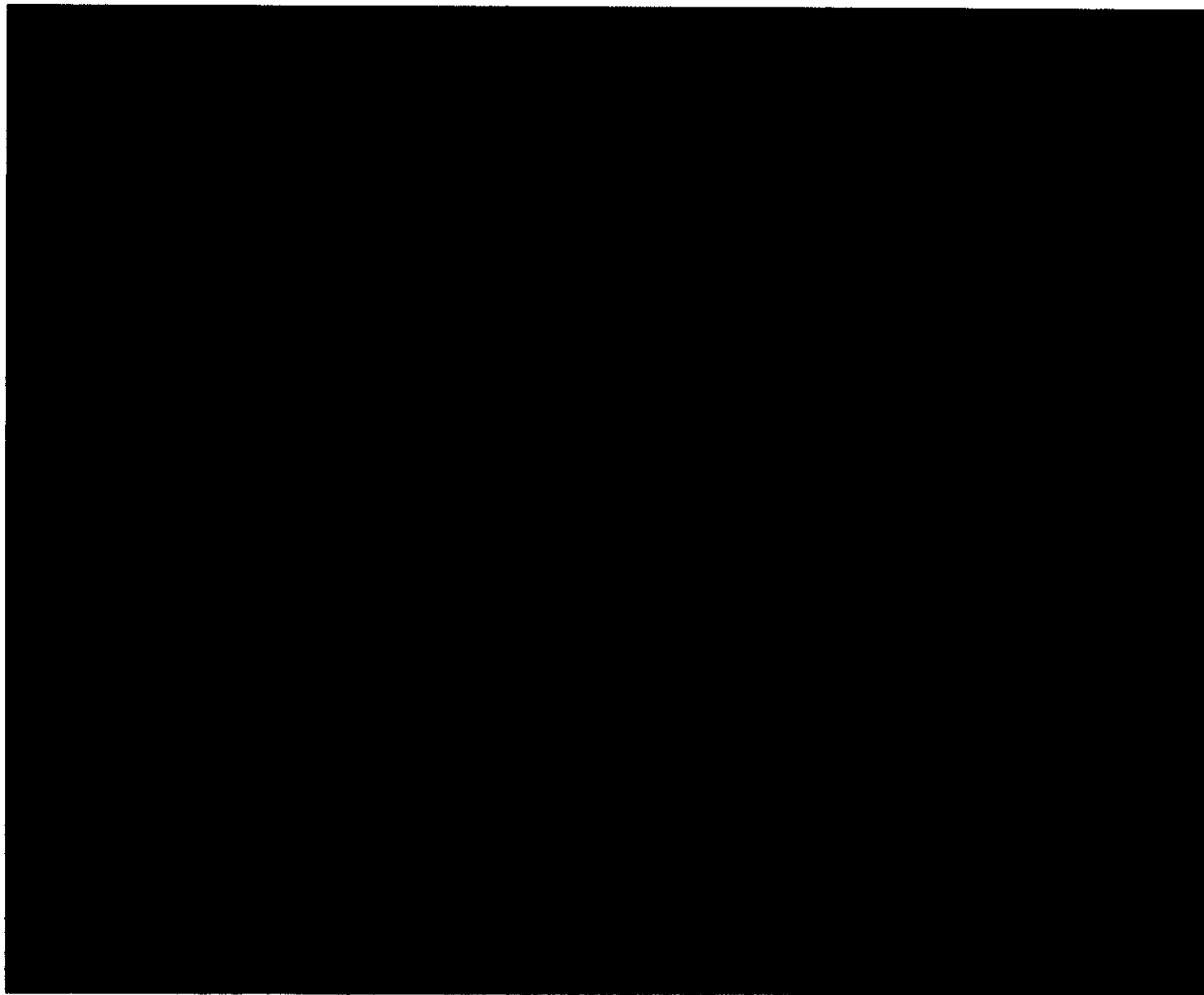
A-88-774

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PLACE 600
USE 1000
1000

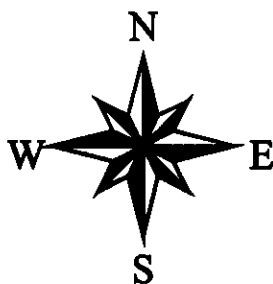
Idaho Department of Water Resources

67-2399



500 0 500 1000 1500 2000 2500 Feet

T16N, R04W, S21



**Prepared by Anita L. Warntjes
February 6, 2004
1993/94 True Color Photo**



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

November 3, 2003

KENNETH F DOWNEY
DIANE E DOWNEY
2373 LAPPIN LN
COUNCIL ID 83612

Re: Notice of Claim to a Water Right No. 67-2399

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

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

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure



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

October 22, 2003

WASHINGTON COUNTY TITLE CO
35 W IDAHO ST
WEISER ID 83672

RECEIVED

OCT 30 2003

WATER RESOURCES
WESTERN REGION

RE: Notice of Change of Water Right Ownership No. 67-2399

To Whom It May Concern:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was recently submitted for Kenneth & Diane Downey. However, we cannot continue to process the ownership change without sufficient **proof of ownership**. This proof can be a copy of a warranty deed(s), sales contract or tax assessment in the current owners name(s), which includes the legal description of the property by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range.

Please submit a copy of the proof of ownership, and we will be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Denise Hatfield

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region
(208) 334-2190

DH: dh

Enclosures

10-29-03

Denise,
I thought I had
enclosed the Warranty Deed
with the above referenced change.
Here's another copy - sorry if
I overlooked it the first time.
Paula

DATE: 05/12/99
PAGE: 1

Water Source: SEID CREEK
) of Diversion:

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

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

67-10014

☐ No account number on mail

☐ Account number illegible

Addressee's Name

DALE J. HOWELL

Old Address (Include apartment or suite number)

City, State, and ZIP Code

HC 69 Box 3700
Cambridge, MA 02141

New Address (Include apartment or suite number)

City, State, and ZIP Code

3730 Hwy 71
Cambridge, MA 02141

This card is furnished: ☒ For address correction, as requested (your mailpiece was forwarded).
☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address

☐ No such street

☐ No such number

☐ Refused

☐ Attempted, not known

☐ Unclaimed

PS Form 3547, June 1995

+ A67-02141
✓ - 02399
2