

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32116/67-2326 Priority Oct. 26, 1964 Amount 0.02 cfs

THIS IS TO CERTIFY, that JOE L. MAGEE
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 32116/67-2326 issued pursuant to Application for Permit dated October 26, 1964
and has submitted proof to the Department of Water Administration on October 27, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed spring
tributary of _____, is hereby confirmed in the following amounts:
Amount 0.02 cfs for Stockwater from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW 1/4 Sec. 31, Twp. 11 N, Rge. 3 W, B. M.
in the county of Washington; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.4 acre feet per year ~~xx~~
~~xxxxxxxxxxxxxx~~

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11 N	3 W	31											X						
10 N	3 W	6					X												

Total number of acres irrigated _____

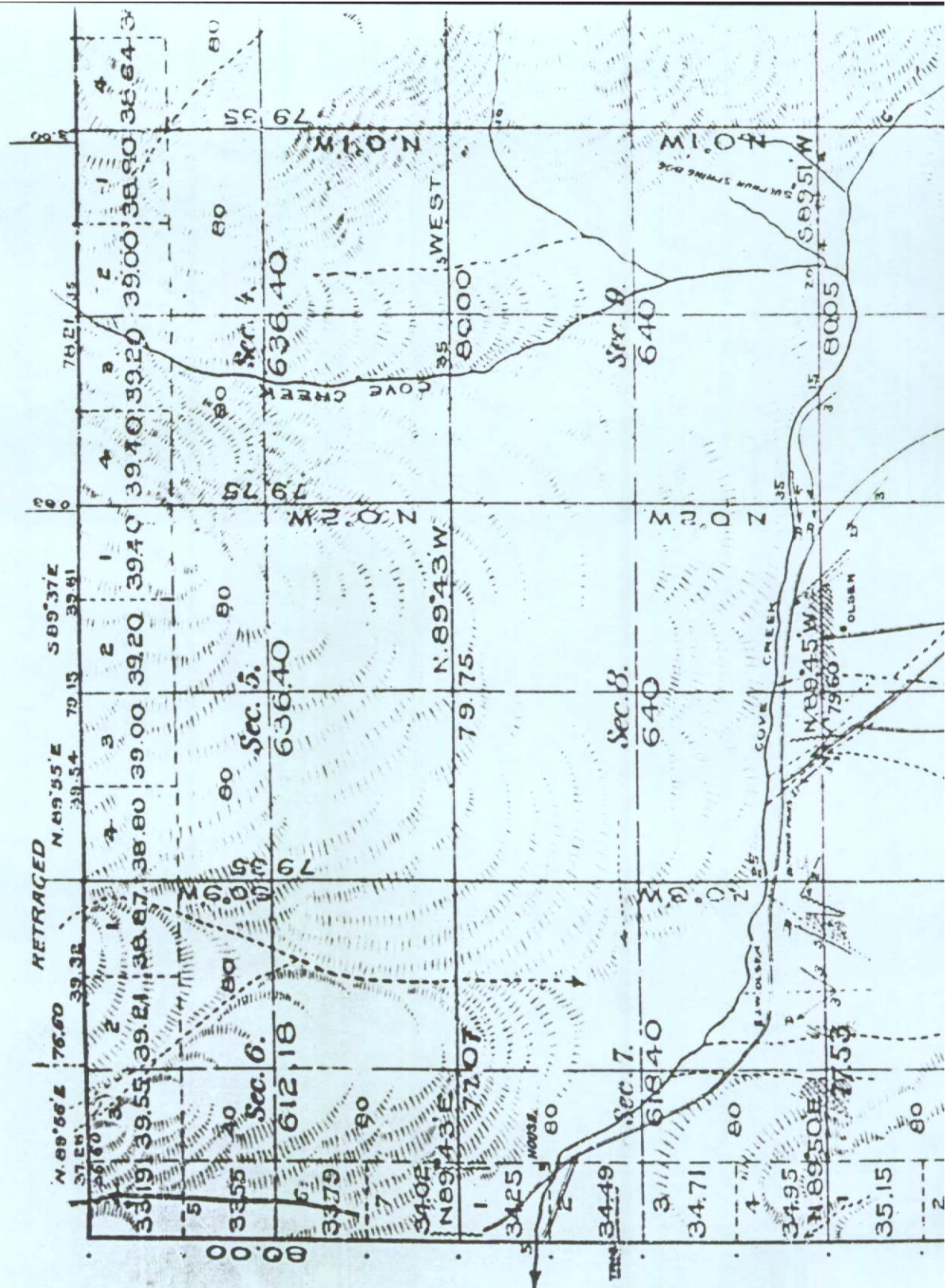
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March, 19 73.

[Signature]
Director

67 2326

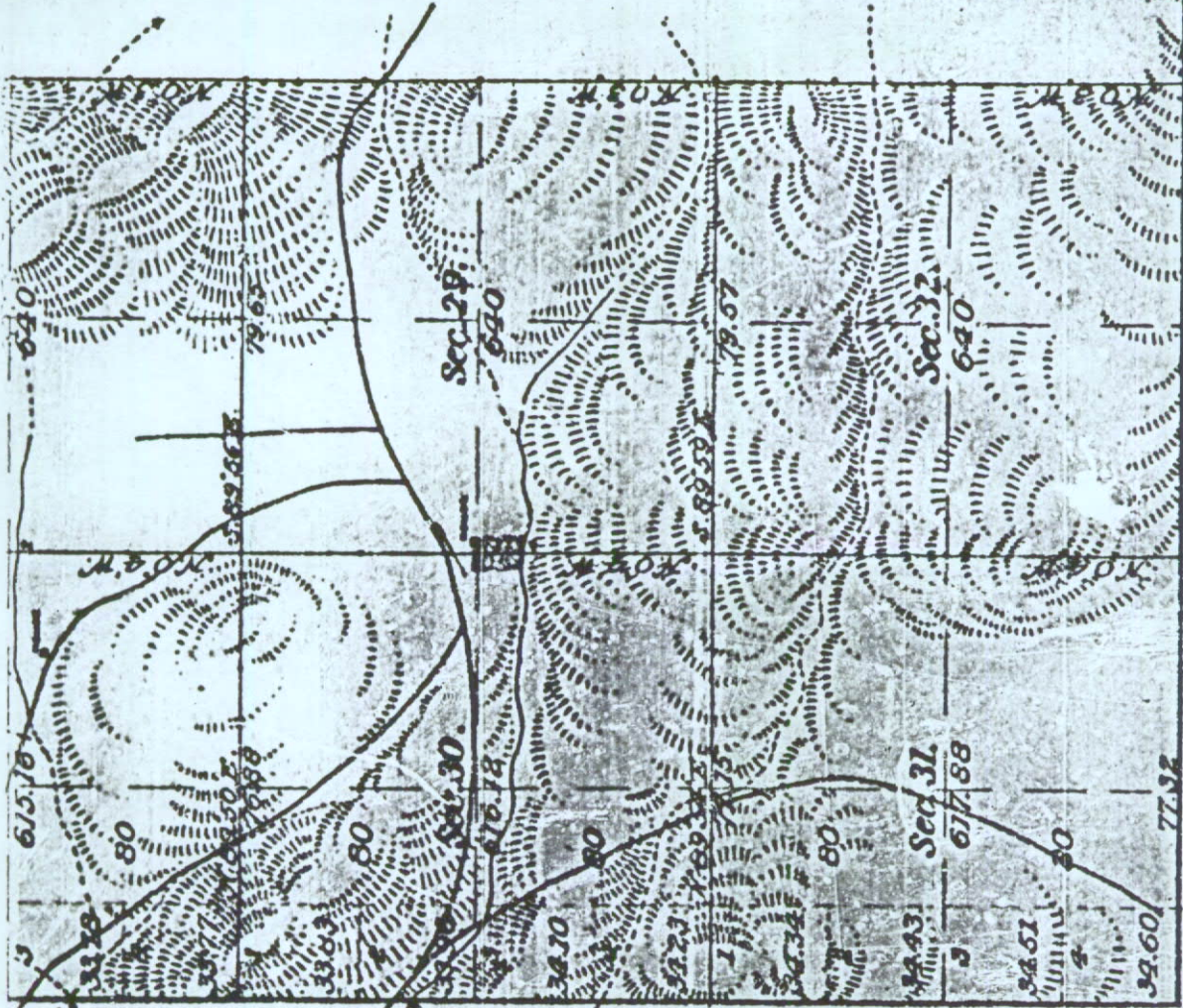
Township No 10 North, Range No 3 West



6

H

h



n
 o
 p
 q

Total number of Acres 5612.90

Survey Designated	By Whom Surveyed	Date of Contract	Amount of Survey M. Ch. Li.	When Surveyed	Mean Declination
Township lines	Allen M. Thompson	16 February 23, 1899	18 72 01	March 5, 18, 1899	
Subdivisions	William B. Kimmel	20 September 18, 1899	16 63 94	October 23, 27, 1899	20° 00' E.
N. boundary (Kas.)			5 00 10	October 12-18, 1899	
Connections					

114 36

25.31

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: A67-02326
Date Received: 10/20/1989
Receipt No: W006451
Received By: _____

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

1. Name: SAND HOLLOW PARTNERSHIP 208-258-4351
Address: GEORGE & JOSEPH HIXON
1095 CALF PEN ROAD
COUNCIL ID 83612-5048

2. Date of Priority: OCT 26, 1964

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	03W	31	SW	SW			WASHINGTON

5. Description of diverting works:
SPRINGS

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 1.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
50 HEAD BEEF

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	03W	6	NW	NW		STOCK	
		31	SW	SW		STOCK	

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:
NONE

14. Remarks:
OWNERSHIP CHANGED BY LH 12/17/93.

15. Basis of Claim: LICENSE
Water Right Number: 32116

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 _____

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AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 16 1993

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

WATER RESOURCES
WESTERN REGION

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: _____

A67 02326

[] Name and Address of Former
Owner/Claimant(s)(Seller): _____

George & Joseph Hixon
HC 67 Box 2490

[] New Owner/Claimant
(Purchaser): _____

COUNCIL IDAHO 83612

SAND HOLLOW PARTNERSHIP (George & Joseph Hixon)

[] New Mailing Address: _____

1095 CALF PEN ROAD

COUNCIL IDAHO 83612-5048

[] New Telephone Number: _____

(208) 258-4351

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

Post Office changed mailing address to
New Listing - (County & city for all purposes)

[] Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s): _____

SAND HOLLOW PARTNERSHIP

Date 12/10/93

manager John E. Hixon

Date 12/10/93

[] Signature of Former
Owner/Claimant(s): _____

x [Signature] x [Signature]

Date 12/13/93

Date 12/14/93

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-17-93 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 12-17-93 By: [Signature]

Claim Numbers of Split, if any:

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

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

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

DATE: 12/17/93
PAGE: 1

DIVERSION
VOLUME

Stage: BENEFICIAL USE

WASHINGTON County

35

67

7

■

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AUG 05 1994

DATE: 12/17/93
PAGE: 1

WASHINGTON County

Place of use Legal Description for: STOCKWATER

POU County: WASHINGTON

Non-Irrigation Uses: STOCKWATER, 50 BEEF

Other Rights: NONE

Remarks: PARCEL NO. 10N03W310000

Dates: Exam Made Date: Verified Date:

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

Audit: 00/00/00

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AUG 05 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A67-02326
Date Received: 10/19/1989
Receipt No: W006451
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE C. HIXON
Address: HC 67 BOX 2490
COUNCIL, ID

83612

OR

Name: JOESPH M. HIXON
Address: HC 67 BOX 2490
COUNCIL, ID

83612

2. Date of Priority: OCT 26, 1964

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	03W	31	SW	SW	SW		WASHINGTON

5. Description of diverting works:
SPRINGS

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 1.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
50 HEAD BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	03W	6	NW	NW		STOCK	
		31	SW	SW		STOCK	

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 32116

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 FALLS

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

CIVIL CASE NUMBER: 39576

Identification No. 167-02326
Date Received 10-19-89
Receipt Number W000451

RECEIVED
OCT 19 1989

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Department of Water Resources
Western Regional Office

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) George C. Hixon or Joseph M. Hixon Phone () _____

Mailing Address HC 67, Box 2490, Council, Idaho Zip 83612

2. Date of Priority (Only one per claim) 10/26/64 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) Spring
Name or kind of source

which is tributary to (b) sinks

4. Location of point of diversion is: Township 10 N Range 3 W

Section 31, 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,

County of Washington

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. _____

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

For stock water purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount .02 ^(cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .02 (cfs)

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8. Total consumptive use claimed is de minimus

OCT 19 1992

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 50 head beef cattle

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: 10 N Range 3 W

Section 31, SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Washington 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? Washington

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

14. Remarks: _____

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 67-02326

16. Signature (s)

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

Number of Attachments _____

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

Signature of Claimant (s) X [Signature] Date Oct. 18, 1989
_____ Date _____

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

of _____ Title _____
that I have signed the foregoing
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 Adams } SS.

Subscribed and sworn (or affirmed) before me this 18 day of October 1989

SEAL

Notary Public [Signature]

Residing at Council

My Commission Expires 10-23-93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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OCT 12 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.

UNRECORDED

144137
WARRANTY DEED

For Value Received, IDAHO BANK & TRUST CO., an Idaho corporation,

Sandhollow

the grantor , do es hereby grant, bargain, sell and convey unto JOSEPH M. HIXON III and GEORGE C. HIXON, as equal tenants in common, and as their respective sole and separate property,

the grantees , whose current address is 341 Milam Building, San Antonio, Texas 78205,

the following described premises, in Washington County, Idaho, to-wit:

TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, STATE OF IDAHO:

In Section 29: SE $\frac{1}{4}$;

In Section 31: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;

In Section 32: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.

Assigning to Grantees as well, all of Grantor's right, title and interest in and to any permits issued by the Bureau of Land Management, any grazing rights and AUM's, any water licenses, permits or other water rights benefiting said premises, and any rights under leases with the State of Idaho pertaining to property situated within or contiguous to the above-described premises.

And all income and gain derived from said premises shall be the respective separate property of the Grantees, pursuant to Section 32-906(1), Idaho Code.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees , that it is the owner in fee simple of said premises; that they are free from all incumbrances, except for taxes and assessments for the year 1987;

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

Dated: This 12th day of Nov, 1987.

IDAHO BANK & TRUST CO.

By: *Randall A. Diller*

Title: *Sec*

STATE OF IDAHO, COUNTY OF *Ada*) ss.

On this *12th* day of *Nov*, 1987 , before me, a Notary Public in and for said State, personally appeared *Wanda G. Diller* known or identified to me to be the *Wanda G. Diller* of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.

[Signature]
Notary Public

Residing at _____, Idaho
Comm. Expires: *1992*

STATE OF IDAHO, COUNTY OF Washington

I hereby certify that this instrument was filed for record at the request of

Weiser Valley Title

at *3:15* minutes past *10* o'clock A. M., this *23rd* day of December 19 *87*, in my office, and duly recorded in *Book* Index of Deeds and *Page* as #801.

Mary Kautz
E. Office Recorder

By: *Pepper Linbal*

Deputy.

Fees \$ 3.00

Mail to: Weiser Valley Title

INDEXED

COMPARED

INSTRUMENT No. 144137

WARRANTY DEED

For value received, JON L. BARNES and MARILYN BARNES, husband and wife, grantors, whose address is 1401 Shoreline Drive, Boise, Idaho 83702, do hereby grant, bargain, sell and convey unto GEORGE C. HIXON, a married man dealing with his sole and separate property, grantee, whose address is 341 Milam Building, San Antonio, Texas 78205, the following described property, in Adams and Washington Counties, Idaho, to-wit:

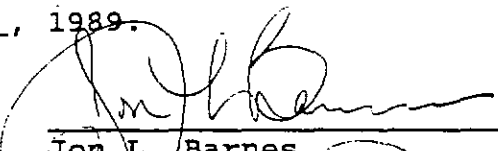
That property described in Exhibit "A", attached hereto and incorporated herein in full by reference.

Including all water and ditch rights appurtenant thereto or used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of, or dedicated to said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

Said property is conveyed "as is" under existing boundary fences, if any, after reasonable inspection by the grantee and grantors do not make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to said land or improvements meeting any Federal, State or local laws, rules or regulations pertaining to zoning, building, subdivision, platting, surveys, planning and use, health, ecology, drainage, irrigation, water quality, sewage or disposal systems. Grantors make no warranties as to surveys, boundaries or any matter mentioned in this paragraph. There are no warranties, express or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantee, his heirs and assigns forever. And the said grantors do hereby covenant to and with the said grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances, except as may be otherwise stated herein; and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 2 June, 1989.


Jon L. Barnes

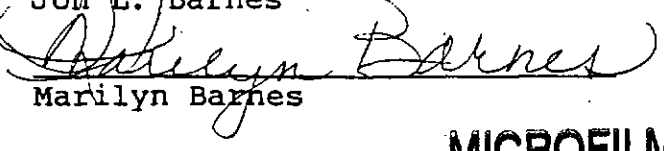

Marilyn Barnes

EXHIBIT "A"

Parcel 1:

Land in Adams County, Idaho:

Township 17 North, Range 4 West, Boise Meridian:

Section 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 3: S $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 5, 6 and 7.

Section 5: Lot 4.

Section 6: Lot 1.

Township 18 North, Range 4 West, Boise Meridian:

Section 23: S $\frac{1}{4}$ S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ N $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 26: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 27: NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 31: E $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 32: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$.

Section 33: NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 34: W $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Parcel 2:

Land in Washington County, Idaho:

Township 17 North, Range 4 West of the Boise Meridian:

Section 2: NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$.

which last described land does not include, but specifically excludes approximately 110 acres designated as the Starveout Ranch, title to which is vested in Helena E. Schmidt, and further subject to an easement of right to perpetual use of private roadway over and across the herein described lands in favor of Henry Schmidt and Helena E. Schmidt, as a means of access to and ingress from the premises known as "Starveout Ranch."

Including all water and ditch rights appurtenant to or used in connection with the land being sold or conveyed hereby, as now exists, which includes water from No Business Creek and Wild Horse River. Also including any easements or rights of ways appurtenant to or used for the benefit of said described premises. This sale or conveyance is made subject to easements, rights of ways, reservations and exceptions.

EXHIBIT "A"

MICROFILMED

OCT 02 1992

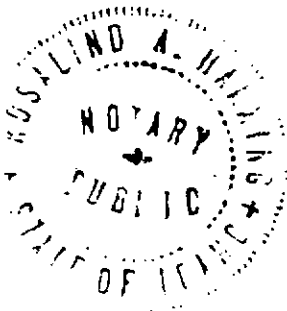
STATE OF IDAHO

County of Ada

)
:ss
)

On this 3rd day of June, 1989, before me, a Notary Public in and for said state, personally appeared JON L. BARNES and MARILYN BARNES, husband and wife, known to me, or identified to me to be the persons whose names are subscribed to the within and foregoing 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.



Rosalind A. Hamming
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 3/16/93

INSTRUMENT NO. 77190

State of Idaho }
County of Adams } :ss.

Filed for record at the request of

Adams County Abstract

45 min. past 2 o'clock P.M.

is 9th day of June, 19 89

41m of Deeds PG. 468

MICHAEL FISK, RECORDER

by Marlene Stowers Indep.

Fee \$ 9.00 Deputy

WARRANTY DEED

Jon L. & Marilyn Barnes

to

George C. Hixon

WARRANTY DEED, Page 2

MICROFILMED

OCT 02 1992

HOLD FOR CLAIMANT CONTACT & POSSIBLE EXAM - SEE BELOW.

OWNER CODE: C
NAME & ADDRESS: SAND HOLLOW PARTNERSHIP
GEORGE & JOSEPH HIXON
1095 CALF PEN ROAD
COUNCIL ID 836125048
(208) 258-4351

Water Source: SPRING
Point(s) of Diversion: T10N R03W S31
Tributary to: SINKS
Stage: BENEFICIAL USE
WASHINGTON County

Place of use Legal Description for: STOCKWATER																															
NE				NW				SW				SE																			
NENE		NNNE		SWNE		SENE		NENW		NNNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
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POU County: WASHINGTON
Non-Irrigation Uses: STOCKWATER, 50 BEEF
Other Rights: NONE

Remarks: GEN PARCEL NO. 10N03W310000
Dates: Exam Made Date: Verified Date: Object Filed Date:
Misc: Water District Number: Field Inspection Flag: Presumption Flag:
Comments: Date: 12/17/1993 User-ID: HARRIS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BY LH 12/17/93.
Audit: 08/16/93 DUNN1 08/17/93 DUNN1 12/17/93 HARRIS 03/30/95 POST-STD

This claim was filed on License # 67-02326. However, license 67-02326 was licensed for T. 11N, R. 3W, S. 31, SWSW, not NW, 3W, S. 31. Database on water rights needs a correct on this also. Free copy of license. Therefore, the ownership in should be checked, the addition of the Fee. to POU was never claimed - added in error. Need correct paperwork for possible

LICENSE OF WATER RIGHT

License of Water Right No. 32116/67-2326 Priority Oct. 26, 1964 Amount 0.02 cfs

THIS IS TO CERTIFY that **JOE L. MAGEE**

No. 32116/67-2326 Issued pursuant to Application for Permit dated October 26, 1964

and has submitted proof to the Department of Water Administration on October 27, 1970

that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity of 0.02 cfs and that the water has in fact been applied to a beneficial use; a right to the use of water from an unnamed spring

tributary of _____ is hereby confirmed in the following amounts:

Amount 0.02 cfs for Stockwater from Jan. 1 to Dec. 31 (both dates inclusive)

Amount for _____ from _____ to _____ (both dates inclusive)

Amount for from to (both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, said waters to be diverted within the

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, Twp. 11 N. Rge. 3 W. B. M.

in the county of Washington and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 1.4 acre feet per year.

Description and location of place of use:

[illegible]

Total number of acres irrigated

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March 19 73

Director

67 2326

WR5809NP
No. 67-02326

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/24/99
PAGE: 5

OWNER: C JOE L. MAGEE
CODE: WEISER ID
NAME & ADDRESS: STOCKWATER
PRIORITY DATE: 10/26/1964
WATER USE: STOCKWATER
USE PERIOD FROM TO: 01/01 12/31
DIVERSION RATE: 0.020 CFS
DIVERSION VOLUME: 1.40 AFA
TOTAL DIVERSION: 0.020 CFS

Water Source: SPRING
Point(s) of Diversion: T11N R03W S31
Tributary to: SWSW
Stage: LICENSE
WASHINGTON County

Place of use Legal Description for: STOCKWATER															
NE						NW				SW				SE	
NENE		NUNE		SWNE		SENE		NENW		SWNW		SENW		SESE	
T	R	S	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt	AC	Lt
10N	03W	6													
10N	03W	31							S						

Pou County: WASHINGTON
App. Received: 10/26/1964
Proof Due Date: 10/26/1964
Exam Made Date: 10/26/1964
Licensed Date: 01/31/1979
Exam Sent to S.O.:
Misc: Water District Number: Field Exam Fee:

Handwritten signature and notes:
"I have reviewed this report and it is correct."
"10/26/1964"

11N 36W

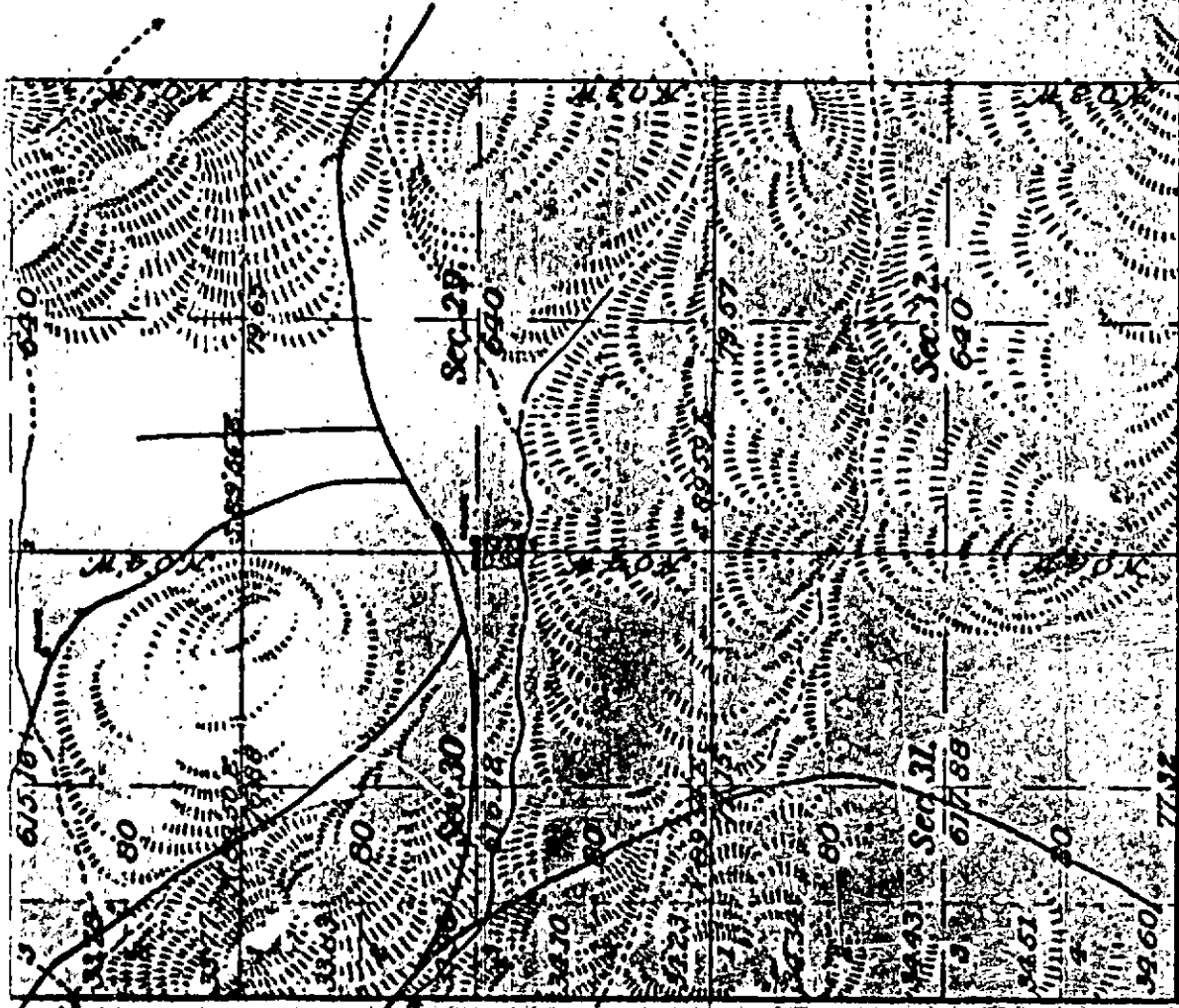
25.31

Sec. 28.

Sec. 29.

Sec. 33.

Sec. 32.



S. 89 36 W.

Q

Total number of Acres 5612.90

Survey Designated	By Whom Surveyed	Date of Completion	Amount of Survey M. Ch. Li.	When Surveyed	Mean Declination
Township Lines	Allen M. Thompson	16 March 1880	18 72 01	March 5, 1880	20 00 E.
Subdivisions	William H. Kimmel	26 September 1888	16 63 94	October 23, 1888	20 00 E.
N. Boundary Lines			5 00 10	October 12, 1888	



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 17, 1993

Re: Notice of Claim to a Water Right No. A67-02326

Sand Hollow Partnership
George & Joseph Hixon
1095 Calf Pen Road
Council, ID 83612-5048

Claimant(s):

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

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

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:l
Enclosure

MICROFILMED
AUG 05 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

RECEIVED

DEC 08 1993

WATER RESOURCES
WESTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

- Sand Hollow Partnership
- HC 67 Box 2470
- Council ID 83612

MAILING DATE: Dec 6, 1993

RESPONSE DATE: Dec 21, 1993

RE: NOTICE OF CLAIM NO[S]: A67-02326

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

- George & Joseph Nixon
- HC 67 Box 2470
- Council ID 83612

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

- Change of Ownership Form
- Change of Address Form

MICROFILMED

AUG 05 1994

WATER RIGHT NUMBER - A67-02326

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER - 32116

[illegible]

*** C - CURRENT OWNER ***
HIXON

GEORGE C.

1 - HC 67 BOX 2490

STATE- ID ZIP- 83612

NOXI

• HAS JOE

CITY- COUNCIL
PHONE - 208-000-0000
1 - HC 67 BOX 2490

STATE- ID ZIP- 83612

*** O - ORIGINAL OWNER ***
MAGEE

100

1 -
2 -
3 -
CITY- WEISER
PHONE - 208-000-0000

STATE- ID ZIP- 0

[illegible]

```

+ - - - - SOURCE - - - +
- - - - - SPRING
- - - - - SINKS
- - - - - TRIBUTARY - - -
- - - - -

```

[illegible]

10N 03W 31 SW SW WASHINGTON (87)

[illegible]

04 - STOCKWATER

0.020

12/31

12/31

+	-	TOTAL DIV. RATE	-	+	-	TOTAL DIV. VOLUME	-	+	-	TOTAL DIV. CAPACITY	-	+	-	TOTAL CONSUMPTIVE USE	-	+	-	KW USAGE
		0.020				1.40								0.0				

[illegible]

	MS	AS	9	MEU	NOL
	MS	AS	11	MEU	NOL
	MN	MN	6	MEU	NOT

04 STOCKWATER
04 STOCKWATER

(B7) WASHINGTON
(B7) WASHINGTON

+ - - DIVERSION MEANS - SPORTING

+ - - NON-INVESTIGATION USE - 50 HEAD BEEBEE

+ - - OTHER RIGHTS FOR SAME USE - NONE

DECLASSIFIED

Aug 3 1961

WATER RIGHT NUMBER - A67-02326

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - REMARKS - - - - -
NO REMARKS FOUND.
+ - - - - CLD WATER RIGHT NUMBERS - - - - -
NO CLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - - +
+ - - - - DECREE DEFENDANT - - - - +
+ - - - - DECREE DATE - - - - +
00/00/0000

+ - - - - AUDIT FIELDS - 08/08/90 SCHULO

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

CCURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 10/20/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- W006451	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- DR	NOTICE OF ERROR FLAG	-

10 N 03W 31 0000

Sand Hollow Partnership

HC 67 Box 2490

Council 83612

MICROFILMED

AUG 05 1994

DATA ENTRY

ENTERED 8-17-93
CHECKED 10/13/93

CHANGE OF OWNERSHIP
LETTER SENT 11-30-93
Verified By
Topo Map/Ortho-PQ
Aerial Map
Watermaster Records
NAIP Photos
Floodplain
County Records
County Remarks
Witness Statement
Project Records
IDWR Records

PROOF

MAR 03 1992

CERTIFIED
JUN 28 1993
WATER EXAMINER

VERIFIED

JUN 18 1993

EBERLE, BERLIN, KADING, TURNBOW & MCKLVEEN,
CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

STEPHEN A. BRADBURY

TELEPHONE
(208) 344-8535

FACSIMILE
(208) 344-8542

JAMES L. BERLIN
OF COUNSEL

T. H. EBERLE (1922-1977)

July 23, 1990

RECEIVED
JUL 24 1990

Bruce A. Schuld, Senior Water Resource Agent
Western Region
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Department of Water Resources
Western Regional Office

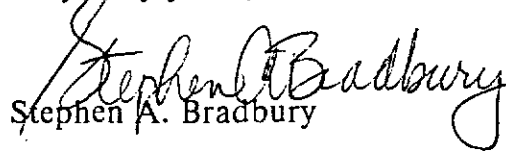
Re: Adjudication Claims A69-02001, A69-10040 & A67-02326

Dear Mr. Schuld:

I am in receipt of your letter dated July 13, 1990 relating to the above referenced claims. As you requested, I have forwarded Claim A69-10040 to Mr. Hixon for his signature and will return it to you under separate cover. Enclosed with this letter, as you requested, are copies of warranty deeds conveying the lands to which the above referenced claims appertain.

Should you have any questions, please feel free to contact me.

Very truly yours,


Stephen A. Bradbury

SAB/jt

Enclosures

cc: George C. Hixon

MICROFILMED

OCT 02 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 13, 1990

Stephen A. Bradbury
Eberle, Berlin, Kading, Turnbow,
& Gilespeie, Chartered
Capitol Park Plaza
300 North Sixth Street
P.O. Box 1368
Boise, Idaho 83720

RE: A65-12464, A69-10040, A69-02001, A67-02326

Dear Mr. Bradbury;

As per our conversation this morning, I am returning your client's claim A69-10040 for his signature, notary, and re-submittal. I would also request the proof of the change of ownership of the claims for the lands listed below. Also attached is the receipt #W006451 for the \$95 in fees your firm submitted in October.

The Adjudication Claims A69-02001 and A69-10040 are appurtenant to the NW¼ of the SW¼ of Section 2, and the SE¼ of the NW¼ of Section 3, Township 17 North, Range 4 West. The lands were previously owned by Jon L. Barnes.

The claim A67-02326 is appurtenant to lands described as the SW¼ of the SW¼ of Section 31, Township 10 North, Range 3 West. The lands were previously owned by a Mr./Mrs. Magee.

A change of ownership in the form of a copy of the Transfer of Title with the legal description of the lands and the signatures of the parties of interest will be sufficient.

Regards,

Bruce A. Schuld
Senior Water Resource Agent
Western Region

cc:BAS:SB:files

MICROFILMED

OCT 02 1992

EBERLE, BERLIN, KADING, TURNBOW & MCKLVEEN,
CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

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(208) 344-8535

FACSIMILE
(208) 344-8542

JAMES L. BERLIN
OF COUNSEL

T. H. EBERLE (1922-1977)

STEPHEN A. BRADBURY

June 29, 1990

RECEIVED

JUL 2 1990

Department of Water Resources
Western Regional Office

Mr. Bruce A. Schuld
Senior Water Resource Agent
Western Region
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RE: Snake River Basin Adjudication: Permit
No. A65-12464 (Payette County)

Dear Mr. Schuld:

Your letter directed to John Dyer, manager of the OX Ranch dated June 22, 1990 concerning the above referenced permit has been referred to this office for response. Your letter indicates that no adjudication claim for the above referenced permit has been filed on behalf of the OX Ranch. I am enclosing for your review and information a copy of a Notice of Claim to a Water Right dated October 18, 1989 pertaining to Permit No. A65-12464 and my letter of transmittal of the same date directed to the Department of Water Resources. Perhaps the original claim form has been misplaced. I am, for that reason, also enclosing copies of the other claims referenced in my letter of October 18, 1989 for your review. I have retained in my file the yellow page of the original claim forms and can make arrangements to display those to you if necessary.

Please also note that this firm's check in the amount of \$95.00 was mailed with those claim forms. Although I am having our bookkeeping department review its records in order to determine if that check has been negotiated, I would appreciate it if you would determine whether the check was received by the Department. We will, of course, want to issue a stop payment order on the first check if the Department has not received it.

MICROFILMED

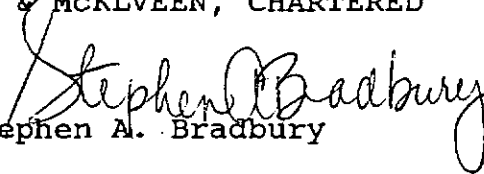
OCT 02 1992

Mr. Bruce A. Schuld
Page 2
June 29, 1990

Once you have had an opportunity to review the enclosed, I would appreciate it if you would contact me in order to confirm the matters discussed above.

Very truly yours,

EBERLE, BERLIN, KADING, TURNBOW
& MCKLVEEN, CHARTERED


Stephen A. Bradbury

SAB/ks
Enclosures
cc: Mr. John E. Dyer, III

MICROFILMED
OCT 02 1992

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

R. B. KADING, JR.
R. M. TURNBOW
JAMES R. GILLESPIE
WILLIAM J. MCKLVEEN
DALE G. HIGER
WARREN E. JONES
MARK S. GESTON
B. NEWAL SCUYRES, JR.
THOMAS R. LINVILLE
RICHARD A. RILEY
JAMES J. DAVIS
JOSEPH H. UBERUAGA II
T. A. BANDUCCI
JOHN MICHAEL BRASSEY
ROBERT L. BERLIN
SCOTT D. HESS
BRADLEY G. ANDREWS
KATHY PERKINS BROOKS
WILLIAM A. FUHRMAN
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300 NORTH SIXTH STREET
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BOISE, IDAHO 83701

October 18, 1989

TELEPHONE
(208) 344-8535

JAMES L. BERLIN
OF COUNSEL

T. H. EBERLE (1922-1977)

RECEIVED
OCT 19 1989

Department of Water Resources
Western Regional Office

Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Adjudication Claims

Dear Sirs:

Enclosed please find three claims to be filed in the Snake River Basin Water System Adjudication. Also enclosed is this firm's check in the amount of \$95 for filing fees. Please note that no amount has been included as a filing fee for the claim on water diverted from Lake Creek at T17N, R4W, S2, NW of SW, Washington County. As noted in the remarks section of that claim, that water was previously claimed as part of claim no. A69-02001 and a filing fee paid by the previous owner. We are making a new filing solely for the purpose of ensuring that your records are up to date and complete. If, however, an additional filing fee is required, please contact the undersigned at your earliest convenience.

Also enclosed is a copy of claim no. A69-10040 filed in the name of Jon L. Barnes. Please be advised that the property to which that claim pertains has been purchased by Mr. George C. Hixon. Attached to that claim is the Department's standard name change form indicating the name and address of the new owner.

Should you have any questions or concerns with respect to any of the foregoing, or should there be additional steps which must be taken in order for Mr. Hixon to perfect his claims, please contact the undersigned.

Yours very truly,

Stephen A. Bradbury
Stephen A. Bradbury

SAB/rah
Encl.
cc: John Dyer

MICROFILMED

OCT 12 1992