



67-41120

100255
54334

GORDON SOPENSON ENGR

4855499693

12/16/2001 11:55

SEC 26

POINT OF BEGINNING TRACT "D"
0181
NESW
607-4112
Crosby

TRACT D
40.01 ACRES

TRACT E
95.79 ACRES
NO. 100181

PARCEL 15 INSTRUMENT NO. 100181

NE4SE4

NW4SE4

SW4SE4

-CENTERLINE EXISTING ROAD

D CREEK ROAD CREEK
(COUNTY ROAD)

ROAD

TANGENT TABLE

NUM	DISTANCE	BEARING	R-F
L1	76.92'	N72°00'00"W	R2 & F
L2	83.09'	N43°20'00"E	
L3	64.93'	S41°50'00"E	
L4	323.93'	S65°45'00"E	
L5	946.39'	N89°45'20"E	
L6	272.29'	S89°05'00"E	
L7	123.44'	N08°40'00"W	
L8	63.49'	N43°20'00"E	
L9	101.99'	N76°15'00"E	R2 & F

1/4 CORNER, FOUND
2 1/2" BRASS CAP
(SURVEYOR 1850)
100' ON TRAIL

TRACT "A"
ROS INST. NO. 100255

COTTONWOOD CREEK
CENTERLINE EXISTING ROAD, CENTERLINE 50' COUNTY ROAD EASEMENT, BOOK 26 DEEDS, PAGE 580
PRIVATE ROAD AND PUBLIC UTILITY EASEMENT

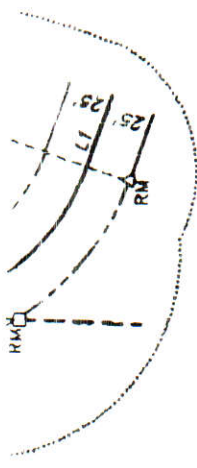
TRACT "E" RECEIVED
AUG 15 2002
WATER RESOURCES
WESTERN REGION

0 SCAL
BASIS C
GLOBAL POSITIONING
WORLD GEODETIC
OWNERS
D. WAYNE CADA

1/4 CORNER, FOUND
2 1/2" BRASS CAP
(SURVEYOR 1850)
INST. NO. 100218

POINT OF BEGINNING TRACT "E"

MATCH TO



N 0172°01'E 2641.72 R2 & F
NORTH 2640' R1

1320.86 R2 & F

25

26

S 89°43'46"W 2652.78 R2 & F

1326.39 R2 & F

1214.98'

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Exceptions added for Maris.

26

#4

#2

#1

NESE

NWSW

NESW

NWSE

NESE

ESE

SWSW

SESW

SWSE

SESE

JENE

NWNW

NENW

NWNE

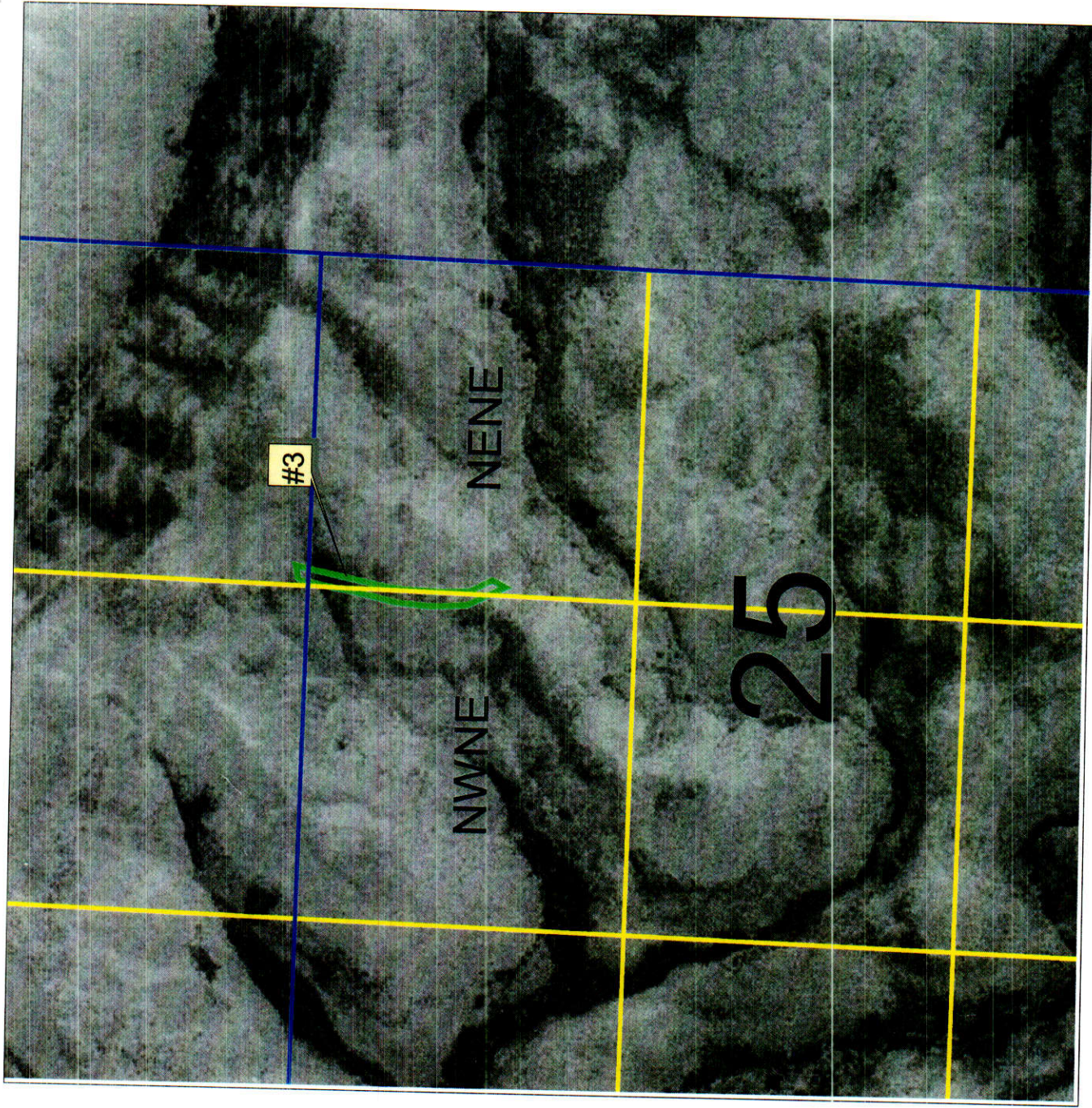
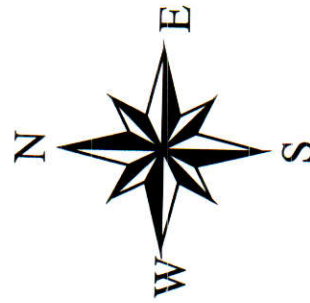
NENE

60 acres total
(this piece)

Manis Ranch

16N 1W

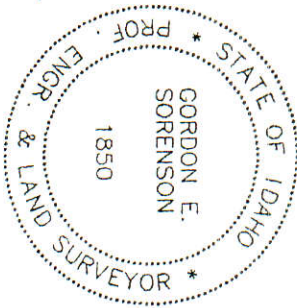
-  Exception #3
-  Section Line
-  QQ Line



R1 RECORD PER GENERAL LAND OFFICE SURVEY (1880)
R2 RECORD PER RECORD OF SURVEY, INSTRUMENT NO. 100255
R3 RECORD PER RECORD OF SURVEY, INSTRUMENT NO. 64334

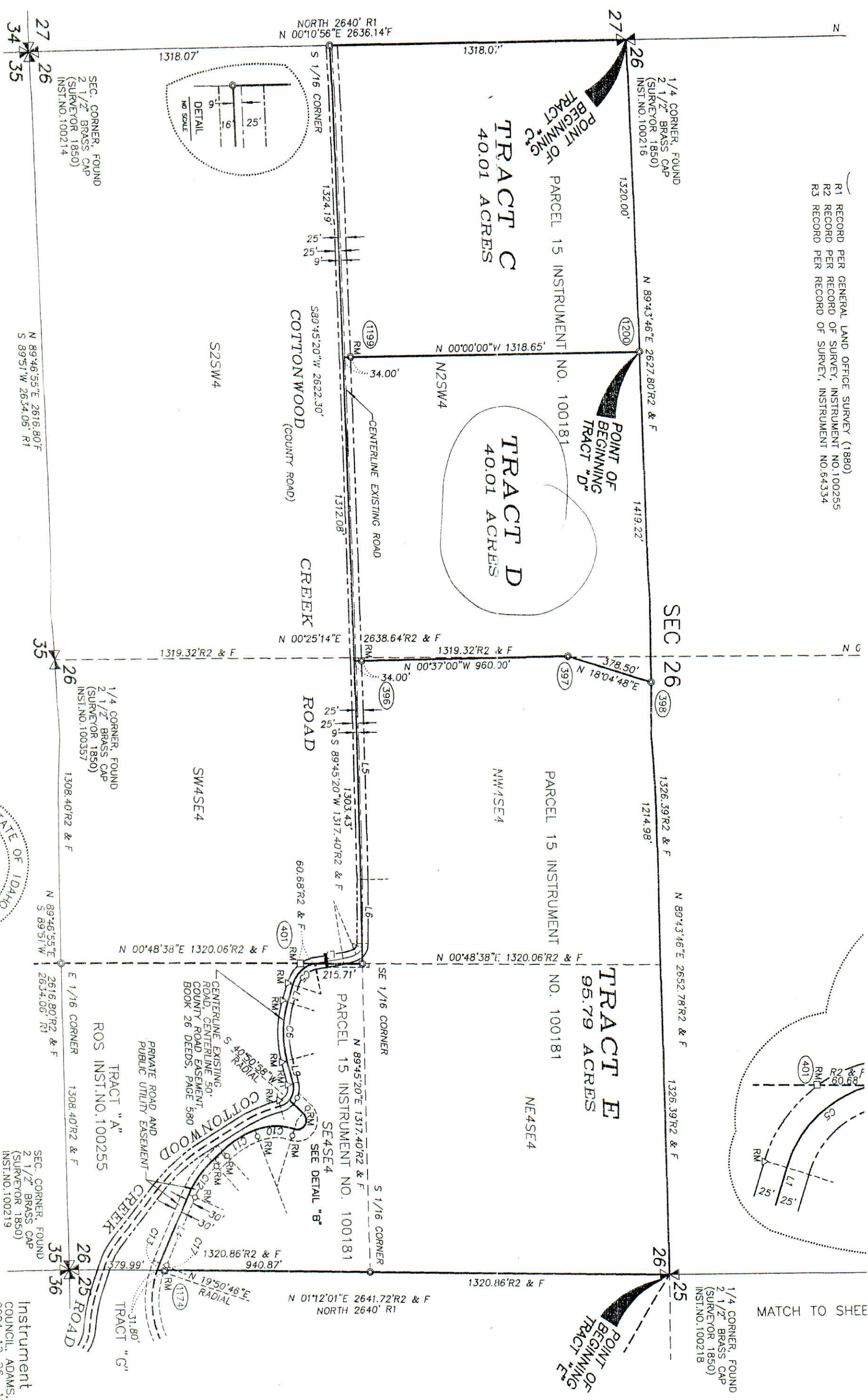
SURVEY PERFORMED FOR:
WAYNE CADA AND DAVE CEREGHINO
SURVEY PERFORMED BY:
GORDON SORENSON ENGINEERING

GORDON E. SORENSON
IDAHO REG. PE/LS #1850



1/4	SEC.	T.	R.
26	26	16 N.	1 W.

Instrument # 100908
COUNCIL, ADAMS, IDAHO
2001-12-26 12:41:54 No. of 1
Recorded for: GORDON SORENSON
MICHAEL FISK
Ex-officio Recorder Deputy



MATCH TO SHEET

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 67-4112C
Date Received: 10/27/2003
Receipt No: W030960
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MANIS RANCH LLC
7244 E HAYDEN CREEK RD
HAYDEN LAKE ID USA 83835

Phone:

2. Date of Priority: 06/01/1889

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	36	NE NW	ADAMS	
16N	01W	36	NW NW	ADAMS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/20 07/15	1.76	

7. Total Quantity Appropriated is:
1.76 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	01W	26	NW	SE	IRRIGATION	40
			NE	SE	IRRIGATION	14
			SE	SE	IRRIGATION	15
					Section Acres	69
					Total Acres	69

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:

14. Remarks:

This claim is the result of a split for a portion of water right 67-4112. See remarks in 67-4112. DH 9/2/2003

Fees paid under receipt number W030960 on 9/26/2003. DH

Signed claim received 10/27/2003. DH

PRIORITIES ARE 6-1-1889 & 6-1-1890.
AC. IRR.=85.

15. Basis of Claim: Statutory Claim

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 67-4112C
Date Received: 5/10/2002
Receipt No: W030960
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 27 2003

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

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7244 E HAYDEN CREEK RD
HAYDEN LAKE ID USA 83835

Phone:

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			NE	SE	IRRIGATION	14
			SE	SE	IRRIGATION	15
					Section Acres	69
					Total Acres	69

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:

14. Remarks:

This claim is the result of a split for a portion of water right 67-4112. See remarks in 67-4112. DH 9/2/2003

Fees paid under receipt number W030960 on 9/26/2003. DH

PRIORITIES ARE 6-1-1889 & 6-1-1890.
AC. IRR.=85.

15. Basis of Claim: Statutory Claim

16. Signature(s)

SEE NEXT PAGE

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am a member of
Title
the MANIS RANCH LLC, that I have signed the foregoing
Organization
document in the space below as a member of
Title
MANIS RANCH LLC and that the statements contained, in the
Organization
foregoing document are true and correct.

Wayne J. Hansen
Signature of Authorized Agent

MEMBER / MANIS RANCH LLC
Title and Organization

10/03/2003
Date

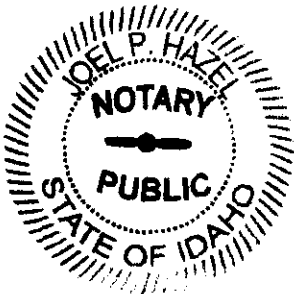
State of Idaho)
County of Kootenai) SS.

Subscribed and sworn (or affirmed) before me this 3rd
of October 2003

Joel Hazel
Notary Public

Residing at Kootenai County

My commission Expires 9/1/2005



This claim sent
for signature and
money. 9-2-03

\$119-

Money rec'd
9-26-03 w/

no claim.

Sent for signature
again 9-29-03.

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 67-4112C
Date Received: 5/10/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MANIS RANCH LLC
7244 E HAYDEN CREEK RD
HAYDEN LAKE ID USA 83835

Phone:

2. Date of Priority: 06/01/1889

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
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5. Description of diverting works:

6. Water is used for the following purposes:

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7. Total Quantity Appropriated is:
1.76 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	01W	26	NW	SE	IRRIGATION	40
			NE	SE	IRRIGATION	14
			SE	SE	IRRIGATION	15
					Section Acres	69
					Total Acres	69

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:

14. Remarks:

This claim is the result of a split for a portion of water right 67-4112. See remarks in 67-4112. DH 9/2/2003

PRIORITIES ARE 6-1-1889 & 6-1-1890.
AC. IRR.=85.

15. Basis of Claim: Statutory Claim

Manis portion -

08/29/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4112

WATER RIGHT NUMBER: 67-4112

67-4112C

Owner Type Name and Address
 Current Owner JOHN FRASIER
 COUNCIL, ID 83612

Priority Date: 06/01/1889
 Basis: Statutory Claim
 Status: Active

Source Tributary
 COTTONWOOD CREEK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 7/15	~~2.500~~ CFS	<i>1.76</i>
STOCKWATER	7/15 to 11/15	~~0.050~~ CFS	<i>0</i>
<u>Total Diversion:</u>		~~2.600~~ CFS	<i>1.76</i>

Location of Point(s) of Diversion

COTTONWOOD CREEK	NE1/4NW1/4	Sec. 36, Twp 16N,	Rge 01W, B.M.	ADAMS County
COTTONWOOD CREEK	NW1/4NW1/4	Sec. 36, Twp 16N,	Rge 01W, B.M.	ADAMS County

Place of UseIRRIGATION Within ADAMS County

T16N R01W S26	NESW	~~15.0~~	T16N R01W S26	NESE	14.0
T16N R01W S26	NWSE	40.0	T16N R01W S26	SESE	15.0
T16N R01W S35	NENE	~~15.0~~			
Total Acres: 100		<i>69</i>			

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:

1. General PRIORITIES ARE 6-1-1889 & 6-1-1890.
 AC. IRR.=85.

Comments:

16N 1W #3				16N 1E
NWNW	NENW	NWNE	NENE	NWNW Lot 1
SWNW	SENW	26	SENE	SWNW Lot 2
NWSW	NESW	NWSE	25	NWSW Lot 3
SWSW	SESW	SWSE	SESE	SWSW Lot 4
NWNW	NENW	NWNE	NENE	NWNW Lot 1
SWNW	SENW	35	SENE	SWNW
NWSW	NESW	NWSE	36	NWSW
SWSW	SESW	SWSE	SESE	SWSW
60 acres total (this piece)				NENE
NWNW	NENW	NWNE	NENE	NWNW
SWNW	SENW	35	SENE	SWNW
NWSW	NESW	NWSE	36	NWSW
SWSW	SESW	SWSE	SESE	SWSW

Red = Manis Property listed on deed
 Green = Exceptions on deed

67-4112C

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

RECEIVED
JUL 08⁹ 2002
WATER RESOURCES
WESTERN REGION

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

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
<u>67-4112</u>		<u>NO</u> <u>yes</u>			
<u>67-11238</u>	<u>P.D. issued</u>	<u>no</u>			

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) David E. Cereghino/D. Wayne Cada
23250 Cada Lane, Caldwell, ID 83650

4. New Owner/Claimant(s) Manis Ranch, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 7244 E. Hayden Creek Road

City, State and ZIP Code Hayden Lake, ID 83835

New Telephone Number (208)

5. Date you acquired the property June 28, 2002

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 <u>67-4112</u>		
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	_____	_____ <i>*</i>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____ <i>* all remaining not previously split</i>

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) *X* Wayne F. Manis
(include title if applicable) *X* By: Wayne F. Manis, President/Member

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>7.9.02</u>	Fee	_____
Received by _____	Date _____	Receipt No.	_____
Processed by _____	AJ Date _____	WR	_____ Date _____

INSTRUMENT NO. **101849**
PAGE 1 OF 4

WARRANTY DEED

COPY

For Value Received, DAVID E. CEREGHINO, a married man as his sole and separate property, as to an undivided 49% interest, and D. WAYNE CADA, a married man as his sole and separate property, as to an undivided 51% interest.

The Grantors, do hereby grant, bargain, sell and convey unto MANIS RANCH L.L.C., an Idaho limited liability company

the Grantee, whose current address is 7244 E. Hayden Creek Rd., Hayden Lake, ID 83835

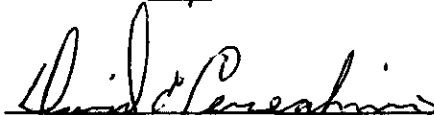
the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

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

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever. Grantors further specifically warrant that no unpatented mining claims exist upon the above-described premises. Grantors do further, assign, transfer, and convey unto Grantee Idaho Department of Water Resources Water Right No. 67-11239 and Idaho Department of Water Resources Water Right No. 67-4112.

Date: June 27, 2002.


DAVID E. CEREGHINO


D. WAYNE CADA

STATE OF IDAHO)
COUNTY OF Adams)SS

Instrument # 101849

COUNCIL, ADAMS, IDAHO

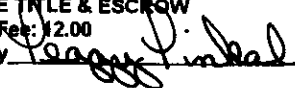
2002-07-01

10:53:45 No. of Pages: 4

Recorded for: TIMBERLINE TITLE & ESCROW

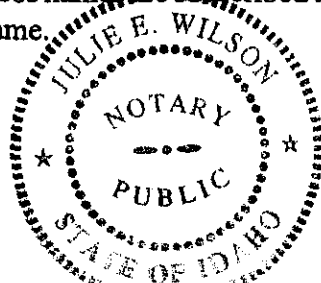
MICHAEL FISK

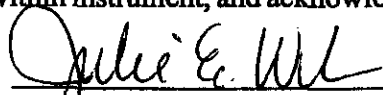
Fee: \$2.00

Ex-Officio Recorder Deputy 

Index to: DEED

On this 27th day of June, in the year of 2002, before me, a Notary Public in and for said State, personally appeared DAVID E. CEREGHINO and D. WAYNE CADA, 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.




Notary Public
Residing at: Cornell
Commission expires: 5-22-04

WARRANTY DEED

\\Jennifer\\c\\OFFICE\\WPWIN\\WPDOCS\\Clients\\Manis Investigations 54501\\WarrantyDeed2.wpd

Township 16 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 30: NW1/4NE1/4, S1/2NE1/4, E1/2NW1/4, E1/2SW1/4, SE1/4, and Lots 1, 2, 3, and 4

Section 31: N1/2NE1/4, NE1/4NW1/4, Lot 1

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 25: N1/2, SW1/4, W1/2SE1/4, SE1/4SE1/4

Section 36: N1/2NE1/4, SE1/4NE1/4, N1/2NW1/4

Section 26: N1/2SW1/4, N1/2SE1/4, SE1/4SE1/4

~~EXCEPTING THEREFROM~~ a tract known as Tract "A" on record of survey recorded as Instr. No. 100255 and more particularly described as follows:

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Sections 26 and 35: A tract of land located in the SE1/4SE1/4 of Section 26 and the NE1/4NE1/4 of Section 35, more particularly described as follows:

~~Beginning~~ at the corner common to Sections 25, 26, 35 and 36, T16NR1W, Boise Meridian, Adams County, Idaho;

Thence South 00° 43' 54" East 1326.27 feet along the line common to Sections 35 and 36 to the southeast corner of the NE1/4NE1/4 of Section 35;

Thence South 89° 52' 16" West 1316.48 feet along the south line of the NE1/4NE1/4 of Section 35 to the Southwest corner of the NE1/4NE1/4 of Section 35;

Thence North 00° 22' 59" West 1324.17 feet along the West line of the NE1/4NE1/4 of Section 35 to the Northwest corner of the NE1/4NE1/4 of Section 35;

Thence North 00° 48' 38" East 1104.35 feet along the West line of the SE1/4SE1/4 of Section 26 to a point in the center of Cottonwood Creek Road, said point being on a nontangent curve with center being North 78° 12' 26" East 130.00 feet radial distance;

Thence along the centerline of Cottonwood Creek Road through the following eleven courses:

- 1) Counterclockwise along last said nontangent curve an arc distance of 136.61 feet (chord South 41° 53' 47" East 130.41 feet);
- 2) South 72° 00' 00" East 76.92 feet;
- 3) Along a 450.00 foot radius curve to the left an arc distance of 249.36 feet (chord South 87° 52' 30" East 246.19 feet);
- 4) North 76° 15' 00" East 101.99 feet;
- 5) Along a 80.00 foot radius curve to the right an arc distance of 124.71 feet (chord South 59° 05' 27" East 112.46 Feet) TO A POINT ON A REVERSE CURVE WITH CENTER BEING North 75° 34' 05" East 700.00 feet radial distance;
- 6) Counterclockwise along last said reverse curve an arc distance of 200.38 feet (chord South 22° 37' 57" East 199.70 feet);
- 7) South 30° 50' 00" East 187.75 feet;
- 8) Along a 750.00 foot radius curve to the left an arc distance of 267.25 feet (chord South 41° 02' 30" East 265.84 feet);
- 9) South 51° 15' 00" East 286.80 feet;
- 10) Along a 350.00 foot radius curve to the left an arc distance of 124.21 feet (chord South 61° 25' 00" East 123.56 feet);
- 11) South 71° 35' 00" East 14.99 feet to a point on the line common to Sections 25 and 26;

Thence South 01° 12' 01" West 146.39 feet along the line common to Sections 25 and 26 to the REAL POINT OF BEGINNING.

EXCEPTING the County Road right-of-way.

CONTINUED

INSTRUMENT NO. 101849
PAGE 3 OF 4

~~SECTION 26: A tract of land~~ a parcel known as Tract "C" on record of survey recorded as Instr. No. 100908

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 26: A tract of land located in the NW1/4SW1/4 more particularly described as follows:

~~Beginning~~ at the quarter corner common to Sections 26 and 27, T16NR1WEM, Adams County, Idaho;

Thence North 89° 43' 46" East 1320.00 feet along the East-West midsection line of Section 26;

Thence South 00° 00' 00" East 1318.65 feet to a point on the South line of the NW1/4SW1/4 of Section 26;

Thence South 89° 45' 20" West 1324.19 feet along the South line of the NW1/4SW1/4 of Section 26 to the Southwest corner of the NW1/4SW1/4 of Section 26;

Thence North 00° 10' 56" East 1318.07 feet along the line common to Sections 26 and 27 to the REAL POINT OF BEGINNING.

SUBJECT TO the County Road known as Cottonwood Road as now established.

~~SECTION 25: A strip of land~~ a parcel more particularly described as follows:

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 25: A strip of land 60 feet in width for fee access purposes located in the N1/2NE1/4 more particularly described as follows:

~~Beginning~~ at a point on the line common to Sections 24 and 25, said point being South 89° 55' 44" East 1353.45 feet from the 1/4 corner common to Sections 24 and 25, T16NR1WEM, Adams County, Idaho;

Thence continuing South 89° 55' 44" East 61.32 feet along the line common to Sections 24 and 25;

Thence South 12° 00' 00" West 391.56 feet;

Thence along a 620.00 foot radius curve to the left, an arc distance of 146.08 feet (chord South 05° 15' 00" West 145.75 feet);

Thence South 01° 30' 00" East 154.24 feet;

Thence along a 130.00 foot radius curve to the left an arc distance of 114.58 feet (chord South 26° 45' 00" East 110.91 feet);

Thence South 38° 00' 00" West 60.00 feet to a point on a nontangent curve with center being North 38° 00' 00" East 190.00 feet radial distance;

Thence clockwise along said nontangent curve an arc distance of 167.46 feet (chord North 26° 45' 00" West 162.10 feet);

Thence North 01° 30' 00" West 154.24 feet;

Thence along a 680.00 foot radius curve to the right an arc distance of 160.22 feet (chord North 05° 15' 00" East 159.85 feet);

Thence North 12° 00' 00" East 378.88 feet to the REAL POINT OF BEGINNING.

Continued

INSTRUMENT NO. 101849 EXHIBIT 'A' CONTINUED

PAGE 4 OF 4

~~ALSO EXCEPTING THEREFROM~~ a parcel known as Tract "D" on record of survey recorded as Instr No. 100908.

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 26: A tract of land located in the N1/2SW1/4 and NW1/4SE1/4 more particularly described as follows:

~~Commencing~~ at the 1/4 corner common to Sections 26 and 27, T16N., R. 1W., Boise Meridian, Adams County, Idaho;

Thence N 89° 43' 46"E, 1320.00 feet along the East-West midsection line of Section 26 to the TRUE POINT OF BEGINNING;

Thence, continuing N 89° 43' 46"E, 1419.22 feet along the East-West midsection line of Section 26;

Thence S 18° 04' 48"W, 378.50 feet;

Thence S 00° 37' 00"E, 960.00 feet to a point on the South line of the N1/2S1/2 of Section 26;

Thence S 89° 45' 20"W, 1312.08 feet along the South line of the N1/2S1/2 of Section 26;

Thence N 00° 00' 00"E, 1318.65 feet to the POINT OF BEGINNING.

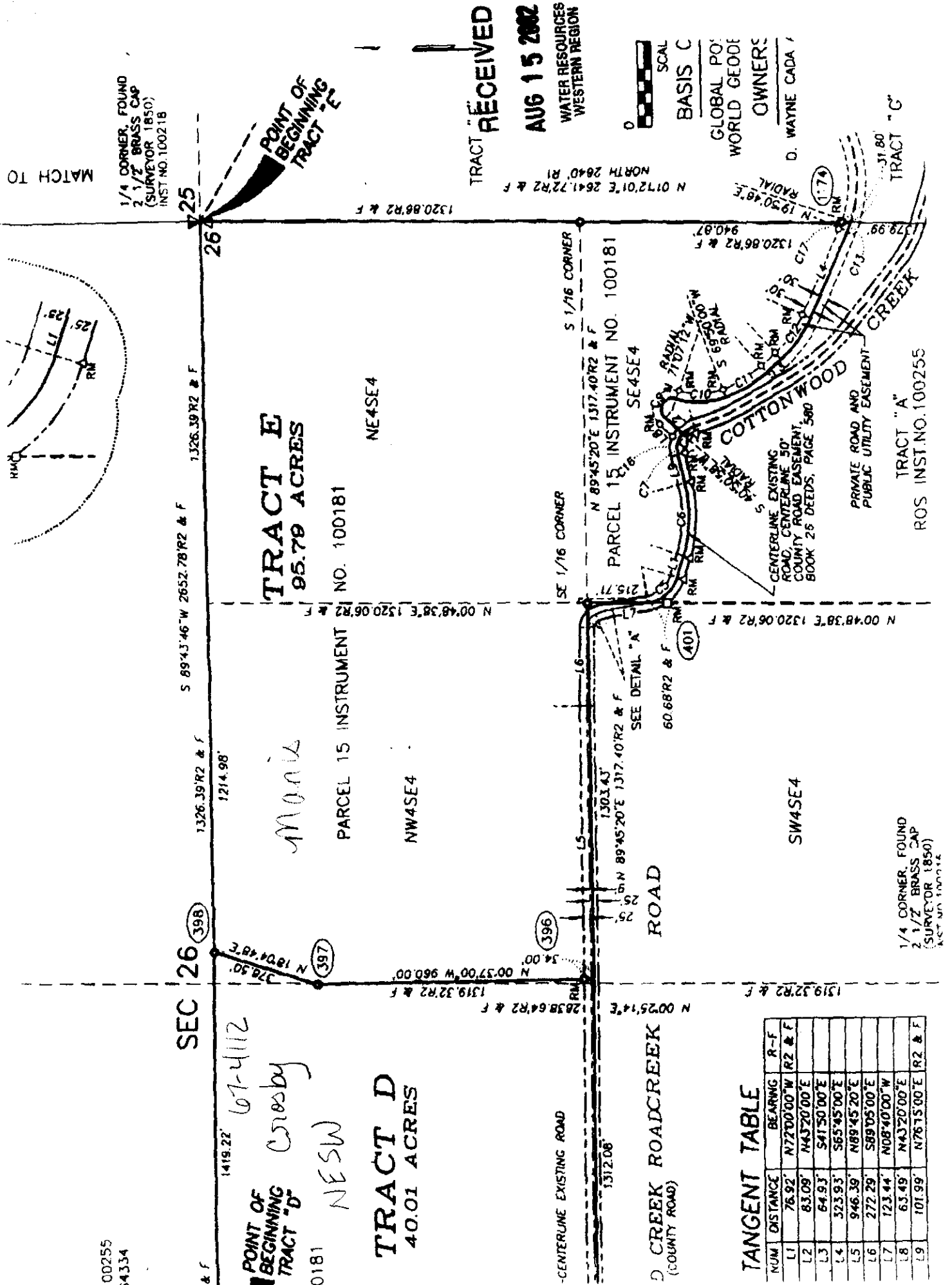
SUBJECT TO the County Road known as Cottonwood Road as now established.

100255
34334

GORDON SOPHONSON ENR3P

4065499593

12/10/2001 11:55



TRACT "E" RECEIVED

AUG 15 2002

WATER RESOURCES
WESTERN REGION

SCAL
BASIS C

GLOBAL POS
WORLD GEODE

OWNERS

D. WAYNE CADA

1

1

1

1

1

1

12/10/2001 11:55 4065499693

GORDON SORENSON ENGR

PAGE 04

LEGAL DESCRIPTION TRACT E

A TRACT OF LAND LOCATED IN THE NE 1/4 SW 1/4, N 1/2 SE 1/4 AND SE 1/4 OF SECTION 26, T.16 N., R.1 W., BOISE MERIDIAN, ADAMS COUNTY, IDAHO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE 1/4 CORNER COMMON TO SECTIONS 25 AND 26, T.16 N., R.1 W., BOISE MERIDIAN, ADAMS COUNTY, IDAHO; THENCE S 01°12'01"W, 2261.73 FEET ALONG THE LINE COMMON TO SECTIONS 25 AND 26 TO A POINT ON A NONTANGENT CURVE WITH CENTER BEING N 19°50'46"E, 425.00 FEET RADIAL DISTANCE; THENCE CLOCKWISE ALONG SAID NONTANGENT CURVE, AN ARC DISTANCE OF 32.67 FEET (CHORD N 67°37'07"W, 32.66 FEET); THENCE N 65°45'00"W, 323.93 FEET; THENCE ALONG A 425.00 FOOT RADIAL CURVE TO THE RIGHT, AN ARC DISTANCE OF 177.41 FEET (CHORD N 53°47'30"W, 176.12 FEET); THENCE N 41°50'00"W, 64.93 FEET; THENCE ALONG A 450.00 FOOT RADIAL CURVE TO THE RIGHT, AN ARC DISTANCE OF 170.17 FEET (CHORD N 31°00'00"W, 169.16 FEET); THENCE ALONG A COMPOUND CURVE WITH CENTER BEING N 69°50'00"E, 360.00 FEET RADIAL DISTANCE; THENCE CLOCKWISE ALONG SAID COMPOUND CURVE, AN ARC DISTANCE OF 177.19 FEET (CHORD N 00°38'36"W, 173.78 FEET) TO A POINT ON A REVERSE CURVE WITH CENTER BEING N 71°07'12"W, 40.00 FEET RADIAL DISTANCE; THENCE COUNTERCLOCKWISE ALONG SAID REVERSE CURVE, AN ARC DISTANCE OF 108.59 FEET (CHORD N 58°53'36"W, 78.18 FEET); THENCE S 43°20'00"W, 83.09 FEET TO A POINT ON THE AS CONSTRUCTED CENTERLINE OF COTTONWOOD CREEK ROAD AND NONTANGENT CURVE WITH CENTER BEING S 40°50'36"W, 80.00 FEET RADIAL DISTANCE; THENCE ALONG THE CENTERLINE OF COTTONWOOD CREEK ROAD THROUGH THE FOLLOWING FIVE COURSES: 1.) COUNTERCLOCKWISE ALONG LAST SAID NONTANGENT CURVE, AN ARC DISTANCE OF 76.24 FEET (CHORD N 76°27'01"W, 73.38 FEET); 2.) S 76°15'00"W, 101.89 FEET; 3.) N 72°00'00"W, 76.92 FEET; 5.) ALONG A 130.00 FOOT RADIAL CURVE TO THE RIGHT, AN ARC DISTANCE OF 249.36 FEET (CHORD N 87°52'30"W, 246.19 FEET); 4.) N 41°53'47"W, 130.41 FEET) TO A POINT ON THE WEST LINE OF THE SE 1/4 OF SECTION 26; THENCE N 00°48'18"E, 215.71 FEET ALONG THE WEST LINE OF THE SE 1/4 OF SECTION 26 TO THE NORTHWEST CORNER OF THE SE 1/4 OF SECTION 26; THENCE S 89°43'20"W, 1303.43 FEET ALONG THE SOUTH LINE OF THE NW 1/4 OF SECTION 26; THENCE N 00°37'00"W, 960.00 FEET; THENCE N 18°04'46"E, 378.50 FEET TO A POINT ON THE NORTH LINE OF THE N 1/2 SE 1/4 OF SECTION 26; THENCE N 89°43'46"E, 2541.37 FEET ALONG THE NORTH LINE OF THE N 1/2 SE 1/4 OF SECTION 26 TO THE POINT OF BEGINNING; CONTAINING 95.79 ACRES, MORE OR LESS, BEING SURVEYED AND MONUMENTED ACCORDING TO THIS RECORD OF SURVEY, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND/OR APPARENT.

Exceptions on deed for Maris

26

#4

#2

NESE

NWSE

NESW

NWSW

NESE

SESE

SWSE

SESW

SWSW

ESE

#1

60 acres total
(this piece)

NENE

NWNE

NENW

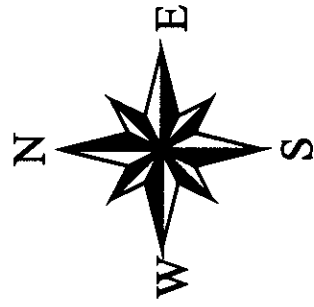
NWNW

JENE

Manis Ranch

16N 1W

- ☐ Exception #3
- ☐ Section Line
- ☐ QQ Line



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 67-4112
Date Received: 5/10/2002
Receipt No: W029150
Received By:

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

1. Name of Claimant(s)

DAVID CROSBY Phone: (208)761-6114
PO BOX 820
COUNCIL ID USA 83612

2. Date of Priority: 06/01/1889

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	36	NE NW	ADAMS	
16N	01W	36	NW NW	ADAMS	

5. Description of diverting works:

Ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/20	07/15	0.38	

7. Total Quantity Appropriated is:
0.38 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	01W	26	NE	SW	IRRIGATION	15
					Section Acres	15
					Total Acres	15

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:

14. Remarks:

THIS CLAIM IS FOR A PORTION OF 67-4112.

15. Basis of Claim: Beneficial Use

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

\$50-
+ \$1- per acre

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

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

A67-04112

5/10/02

W029150

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) David Crosby Phone (208) 761-6114Mailing Address P.O. 820 COUNCIL, IDAHO Zip 836122. Date of Priority (Only one (1) per claim) 6/1/18893. Source of water supply (a) COTTONWOOD CREEK
which is tributary to (b) WEISER RIVER4. a. Location of existing point of diversion is: Township 16N Range 1W Section 36,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of ADAMSAdditional points of diversion if any: NWNW

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. DITCH

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Inr purposes from 4/20 to 7/15 amount 38 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 38 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16N	1W	26									15								15

Total number of acres irrigated 15

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.

or None ☒

14. Remarks: Portion of pt 67-4112

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐

Decree ☐

If applicable provide IDWR Water Right Number 67-4112

Court ☐ Case Number ☐ Decree Date ☐

Plaintiff vs Defendant ☐

16. Signature (s)

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

Number of attachments ☐

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

Signature of Claimant (s) David Chodny Date 5-10-02

Date ☐

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

Title

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 ☐

Title and Organization ☐ Date ☐

State of Idaho/or ☐

County of Ada)

SS.

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



Notary Public Lori Graves

Residing at Boise

My Commission Expires 6/18/04

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, ☐ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature ☐

Address ☐

Date ☐

Last Name ☐ Ident. Number ☐

Copies White-State, Yellow-Claimant

1/4 CORNER, FOUND
2 1/2" BRASS CAP
(SURVEYOR 1850)
INST.NO.100218

N 89°43'46"E 2627.80'R2 & F

SEC 126

N 89°43'46"E 2652.78'R2 & F

1326.39'R2 & F

POINT OF
BEGINNING
TRACT "C"

PARCEL 15 INSTRUMENT NO. 100181

POINT OF
BEGINNING
FACT "D"

TRACT C
40.01 ACRES

TRACT D
40.01 ACRES

PARCEL 15 INSTRUMENT

TRACT E
95.79 ACRES
NO. 100181

NE4SE4

COINT
BEGINNING
TRACT
E

NORTH 2640' R1
N 00°10'56"E 2636.14'F

S 1/16 CORNER

COTTONWOOD
(COUNTY ROAD)

CRFEEK

ROAD

PARCEL 15 INSTRUMENT NO. 100181

SE4SE4
SEE

N 01°12'01"E 2641.72' R2 & F
NORTH 2640' R1

S2SW4

SW4SE4

SEC. CORNER, FOUND
2 1/2" BRASS CAP
(SURVEYOR 1850)
INST.NO.100214

1/4 CORNER, FOUND
2 1/2" BRASS CAP
(SURVEYOR 1850)
INST. NO. 100357

ROS INST.NO.100255

SEC. CORNER, 100219
2 1/2" BRASS CAP
(SURVEYOR 1850)
INST.NO. 100219

Instrument # 100908
COUNCIL, ADAMS, IDAHO
2001-12-26 12:41:54 No. of 1
Recorded for: GORDON SORENSON
MICHAEL FISK Fee
Ex-official Recorder Deputy _____
Index to: SURVEY

SURVEY PERFORMED FOR:
WAYNE CADA AND DAVE CEREGHINO

SURVEY PERFORMED BY:
GORDON SORENSON ENGINEERING

GORDON E. SORENSON
IDAHO REG. PE/LS #1850

A circular professional seal for the State of Idaho. The outer ring contains the text "STATE OF IDAHO" at the top and "PROF. ENGR. & LAND SURVEYOR" at the bottom, separated by two asterisks. The inner circle contains the name "GORDON E. SORENSON" and the license number "1850".

1/4	SEC.	T.	R.
26	16 N.	1 W.	

INDAMINIC NATF-NFR

FILING FEE = \$50 PLUS \$1 PER ACRE CLAIMED

Page 1

04/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4112

WATER RIGHT NUMBER: 67-4112

Owner Type Name and Address
Current Owner JOHN FRASIER

COUNCIL, ID 83612

Priority Date: 06/01/1889
Basis: Statutory Claim
Status: Active

Source Tributary
COTTONWOOD CREEK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 7/15	2.550 CFS	
STOCKWATER	7/15 to 11/15	0.050 CFS	
	<u>Total Diversion:</u>	2.600 CFS	

Location of Point(s) of Diversion

COTTONWOOD CREEK	NE1/4NW1/4	Sec. 36,	Twp 16N, Rge 01W, B.M.	ADAMS County
COTTONWOOD CREEK	NW1/4NW1/4	Sec. 36,	Twp 16N, Rge 01W, B.M.	ADAMS County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N01W 26								15.0					14.0	40.0		15.0	84.0
16N01W 35	16.0																16.0

Total Acres: 100

STOCKWATER same as IRRIGATION

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4112

Remarks:

1. General PRIORITIES ARE 6-1-1889 & 6-1-1890.
AC. IRR.=85.

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MEMORANDUM

Date: October 9, 2003

To: Denise Hatfield

From: Craig L. Saxton

Subject: Change of Ownership Issues – Follow up for an OD Call

Sadie at 880-2122 (she is a realator) had questions concerning ownership of 67-04112A and 67-04112C. She said that a change of ownership was sent in to put all of 67-04112A should be in the name of Dave and Sandy Tunnell and a portion of 67-04112B (ie. The SESE of section 26, should also be in the Tunnell name.

However, the thing that is throwing me off is that both of the SRBA claim records are set at Temporary status. So doesn't that mean that a change of ownership isn't going to do squat. Don't they need to file the claim. However, your notes says that at least 67-04112C is paid for under receipt #: W030960.

I am confused.

I gave Sadie your name and she is going to call you once you get back and she has some of the other details worked out. I just wanted to make you familiar with the situation

0 response - no call rec'd as of

11-4-03

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4112C

WATER RIGHT NUMBER: 67-4112C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MANIS RANCH LLC 7244 E HAYDEN CREEK RD HAYDEN LAKE, ID 83835
Original Owner	JOHN FRASIER COUNCIL, ID 83612

Priority Date: 06/01/1889

Basis: Statutory Claim

Status: Temporary

<u>Source</u>	<u>Tributary</u>
COTTONWOOD CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/20 to 07/15	1.760 CFS	
	<u>Total Diversion:</u>	1.760 CFS	

Location of Point(s) of Diversion

COTTONWOOD CREEK ADAMS County	NE1/4NW1/4	Sec. 36, Twp 16N, Rge 01W, B.M.
COTTONWOOD CREEK ADAMS County	NW1/4NW1/4	Sec. 36, Twp 16N, Rge 01W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	01W	26													14.0	40.0		15.0	69.0

Total Acres: 69

*Possibly Be in
Tunnell Name*

Conditions of Approval:Remarks:

- General PRIORITIES ARE 6-1-1889 & 6-1-1890.
AC. IRR.=85.
- General This claim is the result of a split for a portion of water right 67-4112. See remarks in 67-4112.
DH 9/2/2003
- General Fees paid under receipt number W030960 on 9/26/2003. DH

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4112C

Comments:

Dates and Other Information:

Claim Received Date: 5/10/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False



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 27, 2003

MANIS RANCH LLC
7244 E HAYDEN CREEK RD
HAYDEN LAKE ID 83835

Re: Notice of Claim to a Water Right No. 67-4112C

Dear Claimant(s):

Enclosed is your copy of the above referenced claim(s), in which you recently filed with the Department.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim 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. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

DH: dh

Enclosure

MANIS RANCH L.L.C.

E. 7244 HAYDEN CREEK ROAD PHONE: 208/772-4296
HAYDEN LAKE, IDAHO 83835 FAX: 208/664-5597

October 22, 2003

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

OCT 27 2003

WATER RESOURCES
WESTERN REGION

RE: NOTICE OF CLAIM OF WATER RIGHT OWNERSHIP NO. 67-4112

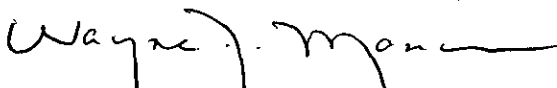
To Whom It May Concern:

Enclosed please find signed and notarized claim documents the Department of Water Resources requested in a letter dated September 29, 2003. Upon receipt of the requested documents, your Department stated that it would continue to process the ownership change. Please advise as to the status of this water right ownership change or forward evidence of title on this claim at your earliest convenience.

If you have any questions concerning this matter, please contact me at 208/771-0032.

Sincerely,

MANIS RANCH L.L.C.


WAYNE F. MANIS

WFM/cmh

enclosures



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

September 29, 2003

MANIS RANCH LLC
7244 E HAYDEN CREEK RD
HAYDEN LAKE ID 83835

RE: Notice of Claim to a Water Right No. 67-4112C

Dear Property Owner(s):

The Department has received the appropriate filing fee for the above referenced claim. However, before we can continue processing this claim, we need the claim to be signed and notarized.

Please sign the enclosed claim and return it to this office within 30 days. If the signed claim is not received within 30 days, the Department will refund your money and the claim will be voided.

Thank you again for your patience and cooperation. If you have any questions concerning this matter, please feel free to contact this office at any time.

Sincerely,

Adjudication Section
Western Region

DH:dh

Enclosures

Idaho Department of Water Resources Receipt

Receipt ID W030960

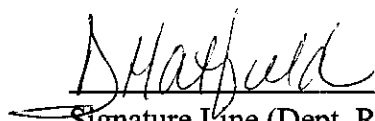
Payment Amount \$119.00 Date Received 9/26/2003 1:46:57 PM Region Western Status 
Payment Type Check Check Number 1034

Payer MANIS RANCH LLC

Comment NOTICE OF CLAIM TO A WATER RIGHT 67-4112C 


Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$119.00	ADJUDICATION FILING FEE	0337	42503	1155	



Signature Line (Dept. Representative)



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

RECEIVED

September 2, 2003

SEP 26 2003

WATER RESOURCES
WESTERN REGION

MANIS RANCH LLC
7244 E HAYDEN CREEK RD
HAYDEN LAKE ID 83835

RE: Notice of Claim to a Water Right No. 67-4112C

Copy

Dear Property Owner(s):

Enclosed you will find a Notice of Claim to a Water Right form, along with the Notice of Change in Water Right Ownership you recently submitted. Department records show that portions of this right have not been previously filed on. In order to complete the process of changing your portion into your name, please review the claim attached, sign in front of a notary, and initial any changes that were made.

The appropriate filing fee for this claim is \$50, plus \$1 per acre claimed. Please submit the completed claim and \$119 at your earliest convenience.

Thank you again for your patience and cooperation. If you have any questions concerning this matter, please feel free to contact this office at any time.

Sincerely,

Denise Hatfield

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH:dh

Enclosures

No claim rec'd w/ money.



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

September 2, 2003

MANIS RANCH LLC
7244 E HAYDEN CREEK RD
HAYDEN LAKE ID 83835

RE: Notice of Claim to a Water Right No. 67-4112C

Dear Property Owner(s):

Enclosed you will find a Notice of Claim to a Water Right form, along with the Notice of Change in Water Right Ownership you recently submitted. Department records show that portions of this right have not been previously filed on. In order to complete the process of changing your portion into your name, please review the claim attached, sign in front of a notary, and initial any changes that were made.

The appropriate filing fee for this claim is \$50, plus \$1 per acre claimed. Please submit the completed claim and \$119 at your earliest convenience.

Thank you again for your patience and cooperation. If you have any questions concerning this matter, please feel free to contact this office at any time.

Sincerely,

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

Denise Hatfield
Office Specialist I
Adjudication Section
Western Region

DH:dh

Enclosures

MANIS RANCH L.L.C.

E. 7244 HAYDEN CREEK ROAD PHONE: 208/772-4296
HAYDEN LAKE, IDAHO 83835 FAX: 208/664-5597

RECEIVED

AUG 21 2003

August 19, 2003

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: STATUS REQUEST REGARDING NOTICE OF CHANGE OF WATER RIGHT
OWNERSHIP NO. 67-4112

To Whom It May Concern:

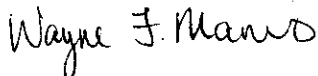
Enclosed please find a copy of a letter you sent to me dated June 27, 2003, acknowledging receipt of a plat map or a survey map of the property indicating the acres purchased. The Department indicated in an earlier letter that upon receipt of the requested documents, the Department would complete the ownership change.

To date, we have not received information indicating that the change regarding water right ownership has been recorded.

Please advise as to the status of this water right ownership change.

Sincerely,

MANIS RANCH L.L.C.



WAYNE F. MANIS

WFM/cmh
Enc.

Creed Noah & Co.
Real Estate

PO Box 268 • 35 S. Superior Street • Cambridge, ID 83610

Phone 208-257-3355 • Fax 208-257-3855

www.creednoah.com

RECEIVED
AUG 15 2002
WATER RESOURCES
WESTERN REGION

August 14, 2002

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

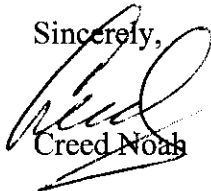
To Whom It May Concern:

On behalf of Manis Ranch LLC we are enclosing a copy of your correspondence to Manis Ranch LLC, a survey map and legal description as per your request and a copy of the Water Right Report pertaining to Water Right No. 67-4112.

We hope this information will be sufficient for you to complete the ownership change. Please contact me if we can be of further assistance.

Thank you.

Sincerely,



Creed Noah



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

June 27, 2003

WAYNE F MANIS
MANIS RANCH LLC
516 SHERMAN AVE
COEUR D' ALENE ID 83814

RE: Notice of Change in Water Right Ownership No. 67-4112

Dear Property Owner(s):

In response to your letter dated June 24, we have received the requested map and the change of ownership information is ready for final review. Copies will be mailed upon completion.

Thank you again for your patience and cooperation, as we have had several water right changes to process. If you have any further questions regarding this matter, feel free to contact this office at (208) 334-2190.

Sincerely,

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

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

MANIS INVESTIGATIONS, INC.

*Investigative and Consulting Services
Domestic • Foreign*

RECEIVED

JUN 27 2003

WATER RESOURCES
WESTERN REGION

June 24, 2003

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP NO. 674100

To Whom It May Concern:

Enclosed please find a letter that you sent to me on July 18, 2002, with attachments requesting change in water right ownership.

Your letter requested that we submit a plat map or a survey map of the property indicating the acres purchased and upon receipt you would complete the ownership change.

This information was forwarded to you last year by Mr. Creed Noah, however, we have received no information indicating that the changes were made.

Please advise as to the status of this water right ownership change.

Sincerely,

MANIS RANCH, L.L.C.



WAYNE F. MANIS

WFM/as

Enc.

cc: Creed Noah



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

July 18, 2002

MANIS RANCH LLC
7244 E HAYDEN CREEK RD
HAYDEN LAKE ID 83835

RE: Notice of Change of Water Right Ownership No. 67-4112

Dear Property Owners:

This office has reviewed your Notice of Change of Water Right Ownership for the property with the above reference water right number. However, we are returning this to you at this time.

In order to further review this ownership change adequately, we need you to submit a plat map or a survey map of the property, indicating the acres in which you purchased.

Please submit the above information and we may be able to complete this ownership change. We apologize for any inconvenience this may have caused.

If you have any questions concerning this letter, please contact this office at 334-2190. Thank you for your patience and cooperation, as we have had several water right changes to process.

Sincerely,

Adjudication Section
Western Region

DH: dh

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Adams County

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 24, 2002

DAVID CROSBY
PO BOX 820
COUNCIL ID 83612

RE: Notice of Claim to a Water Right No. 67-4112

Dear Mr. Crosby:

Enclosed you will find a Notice of Claim to a Water Right form, along with the Change in Ownership information you recently submitted. Department records show that this right has not been previously filed on. In order to complete the process of changing this right to your name, please complete this form and return to this office at your earliest convenience.

The appropriate filing fee for this particular irrigation claim, would be \$50, plus \$1 per acre claimed.

If you have any questions regarding this matter, please feel free to contact this office at any time.
Thank you for your cooperation.

Sincerely,

Adjudication Section
Western Region

Enclosure

DB: db

FILING FEE = \$50 PLUS \$1 PER ACRE CLAIMED

Page 1

04/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4112

WATER RIGHT NUMBER: 67-4112

Owner Type Name and Address
Current Owner JOHN FRASIER

COUNCIL, ID 83612

Priority Date: 06/01/1889
Basis: Statutory Claim
Status: Active

Source Tributary
COTTONWOOD CREEK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20 to 7/15	2.550 CFS	
STOCKWATER	7/15 to 11/15	0.050 CFS	
	<u>Total Diversion:</u>	2.600 CFS	

Location of Point(s) of Diversion

COTTONWOOD CREEK	NE1/4NW1/4	Sec. 36,	Twp 16N, Rge 01W, B.M.	ADAMS County
COTTONWOOD CREEK	NW1/4NW1/4	Sec. 36,	Twp 16N, Rge 01W, B.M.	ADAMS County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N01W 26									15.0				14.0	40.0		15.0	84.0
16N01W 35	16.0																16.0

Total Acres: 100

STOCKWATER same as IRRIGATION

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4112

Remarks:

1. General PRIORITIES ARE 6-1-1889 & 6-1-1890.
AC. IRR.=85.

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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

RECEIVED
APR 22 2002
WATER RESOURCES
WESTERN REGION

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

- I. 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
67-4112		yes			

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**.

Name and Address of Former
Owner/Claimant(s)

David E. Cereghino / D. Wayne Cada
23250 Cada Lane, Caldwell, ID 83650

New Owner/Claimant(s)

David Crosby

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 820

City, State and ZIP Code

Council, ID 83612

New Telephone Number

208 761-6114

Date you acquired the property

4-12-00

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 67-4112

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
<u>Irrigation</u>		<u>15 acres</u>
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		

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

X David Crosby
X _____

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 DB Date 4-22-02 Fee \$0
Receipted by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

COPY

For Value Received, DAVID E. CEREGHINO, a married man as his sole and separate property, and D. WAYNE CADA, a married man as his sole and separate property

the grantors, do hereby grant, bargain, sell and convey unto
DAVID CROSBY, an unmarried man

the grantee, whose current address is P.O. Box 820, Council, ID 83612

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

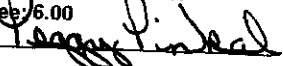
SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

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 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: April 12, 2002



DAVID E. CEREGHINO

Instrument # 101444
COUNCIL, ADAMS, IDAHO
2002-04-12 04:11:31 No. of Pages: 2
Recorded for: TIMBERLINE TITLE & ESCROW
MICHAEL FISK Fee: 6.00
Ex-Officio Recorder Deputy 
Index to: DEED

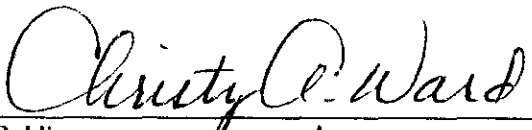


D. WAYNE CADA

STATE OF Idaho)
COUNTY OF Adams) : ss

On this 11 day of April, in the year of 2002, before me, a Notary Public in and for said State, personally appeared

DAVID E. CEREGHINO and D. WAYNE CADA
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.



Notary Public
Residing at: Indian Valley
Commission expires: 9-17-04

EXHIBIT 'A'

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 26: A tract of land located in the N1/2SW1/4 and NW1/4SE1/4 more particularly described as follows:

Commencing at the ¼ corner common to Sections 26 and 27, T16N., R. 1W., Boise Meridian, Adams County, Idaho;

Thence N 89° 43'46"E, 1320.00 feet along the East-West midsection line of Section 26 to the TRUE POINT OF BEGINNING;

Thence, continuing N 89° 43'46"E, 1419.22 feet along the East-West midsection line of Section 26;

Thence S 18° 04'48"W, 378.50 feet;

Thence S 00° 37'00"E, 960.00 feet to a point on the South line of the N1/2S1/2 of Section 26;

Thence S 89° 45'20"W, 1312.08 feet along the South line of the N1/2S1/2 of Section 26;

Thence N 00° 00'00"E, 1318.65 feet to the POINT OF BEGINNING.

SUBJECT TO the County Road known as Cottonwood Road as now established.

The above described parcel is also known as TRACT D as shown on Record of Survey recorded December 26, 2001 as Instr. No. 100908.