

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 24-4068A  
Date Received: 1/23/1990  
Receipt No: M005573  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NATE N 1 RANCH Phone: (208) 847-0485  
537 WASHINGTON  
MONTPELIER ID USA 83254

2. Date of Priority: 08/28/1916

3. Source: CROW CREEK , BOOKS CREEK , WARM CREEK Trib. to: , CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    | County  | Type |
|----------|-------|---------|-----------------------|----|----|---------|------|
| 10S      | 45E   | 14      | NW                    | NW | NE | CARIBOU |      |
| 10S      | 45E   | 12      | SE                    | NW | NW | CARIBOU |      |
| 10S      | 45E   | 12      | NW                    | SW | NW | CARIBOU |      |

5. Description of diverting works:

HEADGATE TO DITCHES, FLUME TO N SIDE CROW CREEK. WARM CREEK, BROOKS CREEK:  
DITCH INTERCEPTS ENTIRE FLOW OF STREAM.

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 5/01 | 10/01 | 4.23   |            |
| STOCKWATER | 5/01 | 10/01 | 0.05   |            |

7. Total Quantity Appropriated is:  
4.23 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

09/12/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 24-4068A  
NAME AND ADDRESS: NATE N 1 RANCH  
537 WASHINGTON  
MONTPELIER ID 83254  
SOURCE: BOOKS CREEK  
CROW CREEK  
WARM CREEK  
TRIBUTARY: CROW CREEK  
TRIBUTARY: SALT RIVER  
TRIBUTARY: CROW CREEK  
QUANTITY: 3.280 CFS  
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.  
PRIORITY DATE: 02/07/1927  
POINT OF DIVERSION:  
T10S R45E S12 NWSWNW Within CARIBOU County  
T10S R45E S12 NWSSENW Within CARIBOU County  
T10S R45E S14 NWNWNE Within CARIBOU County //

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 05/01 10/01          | 3.280 CFS       |
| STOCKWATER            | 05/01 10/01          | 0.020 CFS       |

PLACE OF USE:

IRRIGATION Within CARIBOU County  
T10S R45E S11 NENE 17.00 T10S R45E S11 SWNE 11.00  
T10S R45E S11 SENE 35.00 T10S R45E S11 NESE 13.00  
T10S R45E S11 NWSE 19.00 T10S R45E S12 NENW 11.00  
T10S R45E S12 NWNW 38.00 T10S R45E S12 SWNW 19.00  
T10S R45E S12 SENW 1.10  
STOCKWATER same as IRRIGATION

164.1 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Stockwater use is for 200 range cattle.

10. Place of use:

| Township      | Range | Section | 1/4 | of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|-----|--------|-----|------------|-------|
| 10S           | 45E   | 11      | NE  | NE     |     | IRRIGATION | 17    |
|               |       |         | SW  | NE     |     | IRRIGATION | 11    |
|               |       |         | SE  | NE     |     | IRRIGATION | 35    |
|               |       |         | NE  | SE     |     | IRRIGATION | 16    |
|               |       |         | NW  | SE     |     | IRRIGATION | 29    |
| Section Acres |       |         |     |        |     |            | 108   |
| 10S           | 45E   | 12      | NE  | NW     |     | IRRIGATION | 11    |
|               |       |         | NW  | NW     |     | IRRIGATION | 38    |
|               |       |         | SW  | NW     |     | IRRIGATION | 19    |
|               |       |         | SE  | NW     |     | IRRIGATION | 1     |
| Section Acres |       |         |     |        |     |            | 69    |
| Total Acres   |       |         |     |        |     |            | 177   |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR 84.6% OF CLAIM 24-04068.  
 | WATER FROM WARM CREEK AND BOOKS CREEK IS INTERCEPTED BY CROW CREEK DITCH.  
 CHANGED OWNERSHIP 3/7/95/JT/GT

15. Basis of Claim: Statutory Claim

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.

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 24-4068A  
Date Received: 1/23/1990  
Receipt No: M005573  
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FERRIS K NATE Phone: (208)847-1673  
115 VALLEY VIEW DR  
MONTPELIER ID USA 83254

2. Date of Priority: 08/28/1916

3. Source: CROW CREEK , BOOKS CREEK , WARM CREEK Trib. to: , CROW CREEK , CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 10S      | 45E   | 14      | NW NW NE              | CARIBOU |      |
| 10S      | 45E   | 12      | SE NW NW              | CARIBOU |      |
| 10S      | 45E   | 12      | NW SW NW              | CARIBOU |      |

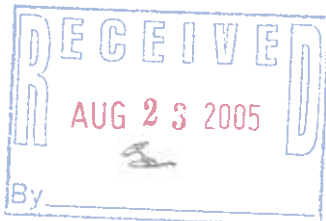
5. Description of diverting works:

HEADGATE TO DITCHES, FLUME TO N SIDE CROW CREEK. WARM CREEK, BROOKS CREEK:  
DITCH INTERCEPTS ENTIRE FLOW OF STREAM.

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 5/01 | 10/01 | 4.23   |            |
| STOCKWATER | 5/01 | 10/01 | 0.05   |            |

7. Total Quantity Appropriated is:  
4.23 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 |
|----------|-------|---------|-----|--------|-----|---------------|-------|
| 10S      | 45E   | 11      | NE  | NE     |     | IRRIGATION    | 17    |
|          |       |         | SW  | NE     |     | IRRIGATION    | 11    |
|          |       |         | SE  | NE     |     | IRRIGATION    | 35    |
|          |       |         | NE  | SE     |     | IRRIGATION    | 16    |
|          |       |         | NW  | SE     |     | IRRIGATION    | 29    |
|          |       |         |     |        |     | Section Acres | 108   |
| 10S      | 45E   | 12      | NE  | NW     |     | IRRIGATION    | 11    |
|          |       |         | NW  | NW     |     | IRRIGATION    | 38    |
|          |       |         | SW  | NW     |     | IRRIGATION    | 19    |
|          |       |         | SE  | NW     |     | IRRIGATION    | 1     |
|          |       |         |     |        |     | Section Acres | 69    |
|          |       |         |     |        |     | Total Acres   | 177   |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR 84.6% OF CLAIM 24-04068.  
| WATER FROM WARM CREEK AND BOOKS CREEK IS INTERCEPTED BY CROW CREEK DITCH.  
CHANGED OWNERSHIP 3/7/95/JT/GT

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 A24-04068A

Date Received 8-12-05

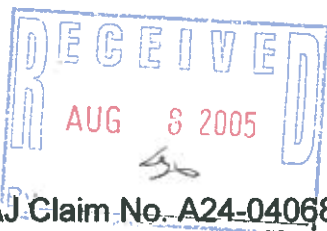
Receipt Number E031174

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

1. Claimant Nate-N1 Ranch, LLC  
537 Washington Street  
Montpelier ID 83254
2. Date of Priority August 28, 1916
3. Source of water: Crow Creek tributary to Salt River  
Books Creek tributary to Crow Creek  
Warm Creek tributary to Crow Creek
4. a. Location of points of diversion:

| Township | Range | Section | QQQ    | Diversion Name |
|----------|-------|---------|--------|----------------|
| 10S      | 45E   | 12      | NWSWNW | Warm Creek     |
| 10S      | 45E   | 12      | NWSENE | Books Creek    |
| 10S      | 45E   | 14      | NWNWNE | Crow Creek     |

5. Description of existing diversion works: Crow creek: Headgate to ditches, with flume to carry water to N side of Crow Creek. Warm Creek and Brooks Creek: Ditch intercepts entire flow of stream.



6. Water is claimed for the following purposes:

| Purpose    | Start Date | End Date | cfs  | acre feet/year |
|------------|------------|----------|------|----------------|
| Irrigation | 5/1        | 10/1     | 4.23 |                |
| Stockwater | 5/1        | 10/1     | 0.05 |                |
|            |            |          |      |                |

7. Total quantity claimed (a) 4.23 (cfs) and/or (b) (acre feet per year)

8. Total consumptive use claimed is \_\_\_\_\_-acre feet per annum.

9. Non-irrigation uses: S/200 head range cattle

10. Description of place of use

Township Range Section

10S 45E 11

|    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |  |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|--|
| NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |       |  |
| NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Total |  |
| 17 |    | 11 | 35 |    |    |    |    |    |    |    |    | 16 | 29 |    |    | 108   |  |

10S 45E 12

|    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |  |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|--|
| NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |       |  |
| NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Total |  |
|    |    |    |    | 11 | 38 | 19 | 1  |    |    |    |    |    |    |    |    | 69    |  |

v

Total number of acres irrigated: 177

11. Irrigated lands are located in county(s) of: Caribou

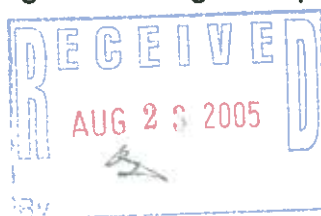
12. Do you own the property listed above as place of use? Yes

13. Describe any other water rights used at the same place and for the same purposes as described above:

14. Remarks.

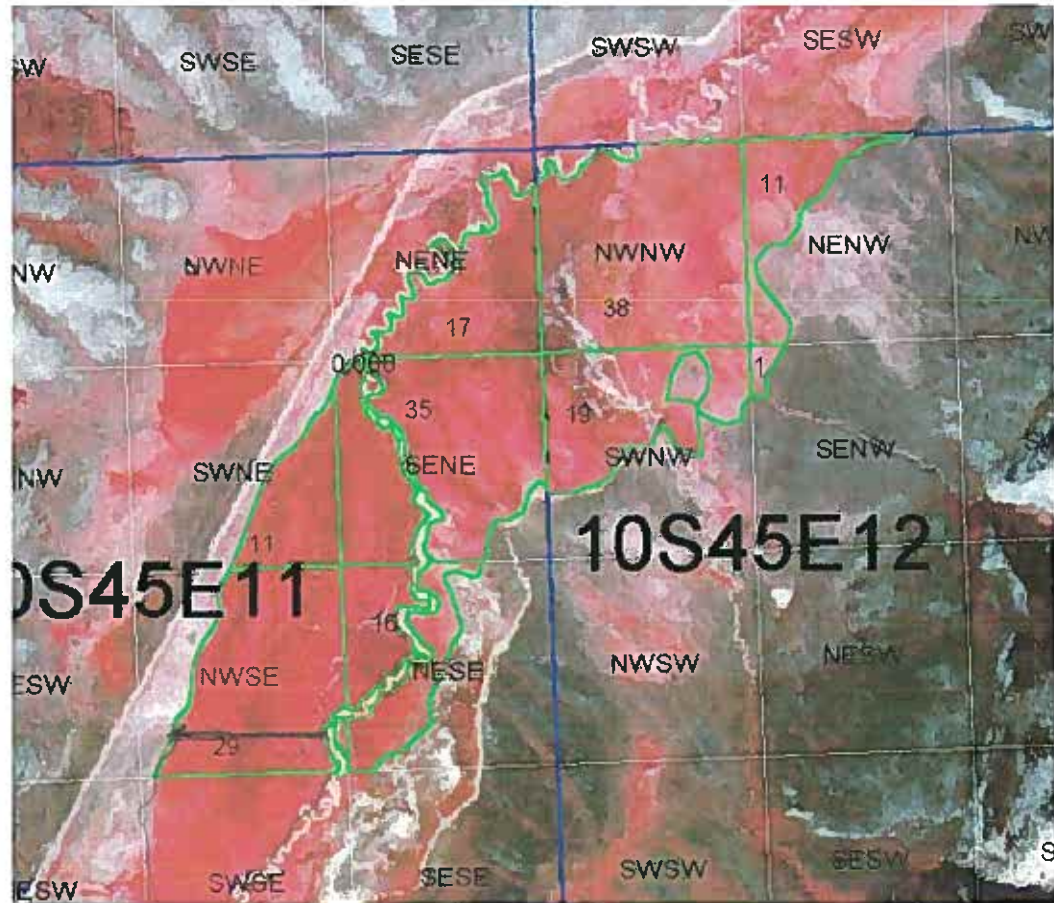
a) POD is shared with A24-04064, A24-04068B (Reide) and A24-10026 (Alleman).

b) Amended claim adjusts irrigated acreage and point of diversion to match field inspection.



Map of project:

## Amended Claim A24-04068A



-  A24-04068a.shp
-  PLSS Section Lines Gcdb\_sections.shp
-  Gcdb\_qq.shp

1987 Aerial Photography from IDWR  
Prepared by Water Resources Field Services 208 681 9100

15: Basis of Claim: Beneficial Use

AUG 2 2005



By AJ Claim No. A24-04068A Amended Last name: Nate-N1 Ranch

IDWR water right number 24-04068  
Court Case Number Decree Date  
Plaintiff vs Defendant

16: Signatures

Number of attachments: None

Signature of Claimant(s) [Signature] Date 8-2-05  
(name)

MANAGER + OWNER of  
(title)

Nate-N1 Ranch, LLC

State of Idaho/or Idaho )  
County of Bear Lake ) SS.

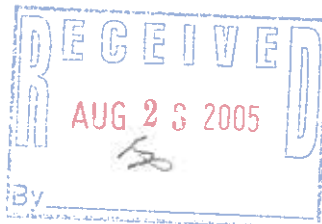
Subscribed and sworn (or affirmed) before me this 2 day of August 2005

SEAL

Notary Public [Signature]

Residing at Quid

My Commission Expires 7-7-2010



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: A24-04068A  
Date Received: 1/23/1990  
Receipt No: 1005573  
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: FERRIS NATE 208-847-0092  
Address: 115 VALLEY VIEW  
MONTPELIER, ID 83254  
AND/OR  
Name: BIRDIE N. MICHAELSON  
Address: MONTPELIER, ID 83254  
AND/OR  
Name: DORA N. CROCKETT  
Address: PALM SPRINGS, CA -  
AND/OR  
Name: HAROLD L. NATE  
Address: MONTPELIER, ID 83254  
AND/OR  
Name: NATE LIMITED  
Address: SALT LAKE CITY, UT -

2. Date of Priority: AUG 28, 1913

3. Source: CROW CREEK Trib. to: SALT RIVER  
BOOKS CREEK CROW CREEK  
WARM CREEK CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 10S      | 45E   | 11      |        | NW     | SE  |     | CARIBOU |
|          |       |         |        | SW     | SE  |     | CARIBOU |
|          |       | 12      | SE     | NW     | NW  |     | CARIBOU |
|          |       |         | NW     | SW     | NW  |     | CARIBOU |

5. Description of diverting works:  
DITCH/FLUME

A24-04068A

Page 1

Date: 01/23/90

MICROFILMED  
NOV 06 1992

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 05/01 | 10/01 | 4.230  |      |        |
| STOCKWATER | 05/01 | 10/01 | 0.050  |      |        |

7. Total Quantity Appropriated is:

~~5.000~~ C.F.S. (and/or) A.F.A.  
4.23 F.A.

8. Total consumptive use is 410.5 Acre Feet Per Annum.

9. Non-irrigation uses:

S/200 HEAD RANGE CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 10S      | 45E   | 11      | NE     | NE  |     | IRR           | 20.0  |
|          |       |         | SW     | NE  |     | IRR           | 15.0  |
|          |       |         | SE     | NE  |     | IRR           | 40.0  |
|          |       |         | NE     | SE  |     | IRR           | 20.0  |
|          |       |         | NW     | SE  |     | IRR           | 20.0  |
|          |       |         |        |     |     | Section Acres | 115.0 |
|          |       | 12      | NE     | NW  |     | IRR           | 10.0  |
|          | NW    |         | NW     |     | IRR | 30.0          |       |
|          | SW    |         | NW     |     | IRR | 10.0          |       |
|          |       |         |        |     |     | Section Acres | 50.0  |
|          |       |         |        |     |     | Total Acres   | 165.0 |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR 84.6% OF CLAIM 24-04068.

WATER FROM WARM CREEK AND BOOKS CREEK IS INTERCEPTED BY CROW CREEK DITCH.

15. Basis of Claim: STATUTORY CLAIM

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 05/01 | 10/01 | 4.230 |      |        |
| STOCKWATER | 05/01 | 10/01 | 0.050 |      |        |

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

A.F.A.

8. Total consumptive use is 412.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/200 HEAD RANGE CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|--------|-----|---------------|-------|
| 10S      | 45E   | 11      | NE  | NE     |     | IRR           | 20.0  |
|          |       |         | SW  | NE     |     | IRR           | 15.0  |
|          |       |         | SE  | NE     |     | IRR           | 40.0  |
|          |       |         | NE  | SE     |     | IRR           | 20.0  |
|          |       |         | NW  | SE     |     | IRR           | 20.0  |
|          |       |         |     |        |     | Section Acres | 115.0 |
|          |       | 12      | NE  | NW     |     | IRR           | 10.0  |
|          |       |         | NW  | NW     |     | IRR           | 30.0  |
|          |       |         | SW  | NW     |     | IRR           | 10.0  |
|          |       |         |     |        |     | Section Acres | 50.0  |
|          |       |         |     |        |     | Total Acres   | 165.0 |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR 84.6% OF CLAIM 24-04068.

|  
WATER FROM WARM CREEK AND BOOKS CREEK IS INTERCEPTED BY  
CROW CREEK DITCH.

15. Basis of Claim: STATUTORY CLAIM

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): *James Tate* Date: 1/23/90  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Caribou ) SS.

Subscribed and sworn (or affirmed) before me this 23<sup>rd</sup> day

of January 19 90

*Anthony A. Oleinich*  
Notary Public

Seal

Residing at *Neah Falls*

My Commission Expires 9/12/1990

| OWNER CODE | NAME & ADDRESS                                                           | PRIORITY DATE | WATER USE             | USE PERIOD FROM TO | DIVERSION RATE                                | DIVERSION VOLUME |
|------------|--------------------------------------------------------------------------|---------------|-----------------------|--------------------|-----------------------------------------------|------------------|
| C          | FERRIS NATE<br>115 VALLEY VIEW<br>MONTPELLIER ID 83254<br>(208) 847-0092 | 08/28/1913    | IRRIGATION STOCKWATER | 05-01 10-01        | 4.23 CFS<br>0.05 CFS                          |                  |
| C          | DORA N. CROCKETT<br>73-403 BOXTHORN LANE<br>PALM SPRINGS CA 92260        |               |                       |                    | TOTAL DIVERSION:<br>CONSUMPTIVE USE: 4.23 CFS | 412.50 AFA       |

C HAROLD E. NATE  
420 CRESENT DR.  
MONTPELLIER ID 83254

C BIRDIE N. MICHAELSON  
340 N. 2ND  
MONTPELLIER ID 83254

C NATE LIMITED  
533 COOLIDGE AVE.  
MIDVALE UT 84047

Water Source: CROW CREEK  
BOOKS CREEK  
WARM CREEK  
Tributary to: SALT RIVER  
CROW CREEK  
CROW CREEK  
Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R43E S11  
S12  
MUSE  
SEMNW  
SMSE  
NMSNW  
CARIBOU County  
CARIBOU County

| Place of use Legal Description for: IRRIGATION |     |    |    |    |    |    |    |    |    |             |       |
|------------------------------------------------|-----|----|----|----|----|----|----|----|----|-------------|-------|
|                                                |     |    | NE |    |    | NW |    |    | SW |             |       |
| T                                              | R   | S  | NE | NE | SE | NE | NW | SW | NE | NE          | SE    |
| 10S                                            | 45E | 11 | 20 | 15 | 40 | 10 | 30 | 10 | 20 | 20          | SUM   |
| 10S                                            | 45E | 12 |    |    |    |    |    |    |    |             |       |
|                                                |     |    |    |    |    |    |    |    |    | TOTAL ACRES | 165.0 |

Place of use location for STOCKWATER is the same location as described for: IRRIGATION  
POU County: CARIBOU

Non-irrigation Uses: S/200 HEAD RANGE CATTLE  
Remarks: THIS CLAIM IS FOR 84.6% OF CLAIM 24-04068.  
WATER FROM WARM CREEK AND BOOKS CREEK IS INTERCEPTED BY CROW CREEK DITCH.

RECORDED  
NOV 07 1990

AUG 05 2001

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: A24-04068A  
Date Received: 1/23/1990  
Receipt No: M005573  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: FERRIS K NATE  
Address: 115 VALLEY VIEW DR  
MONTPELIER ID 83254  
208-847-1673

2. Date of Priority: AUG 28, 1913

3. Source: CROW CREEK  
BOOKS CREEK  
WARM CREEK  
Trib. to: SALT RIVER  
CROW CREEK  
CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 10S      | 45E   | 11      |        | NW     | SE     |     | CARIBOU |
|          |       |         |        | SW     | SE     |     | CARIBOU |
|          |       | 12      | SE     | NW     | NW     |     | CARIBOU |
|          |       |         | NW     | SW     | NW     |     | CARIBOU |

5. Description of diverting works:  
DITCH/FLUME

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 05/01 | 10/01 | 4.230  |      |        |
| STOCKWATER | 05/01 | 10/01 | 0.050  |      |        |

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

A.F.A.

8. Total consumptive use is 412.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/200 HEAD RANGE CATTLE

RECORDED  
NOV 01 1995

10. Place of Use:

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |       |
|----------|-------|---------|---------------|-----|-----|-----|-------|-------|
| 10S      | 45E   | 11      | NE            | NE  |     | IRR | 20.0  |       |
|          |       |         | SW            | NE  |     | IRR | 15.0  |       |
|          |       |         | SE            | NE  |     | IRR | 40.0  |       |
|          |       |         | NE            | SE  |     | IRR | 20.0  |       |
|          |       |         | NW            | SE  |     | IRR | 20.0  |       |
|          |       |         | Section Acres |     |     |     |       | 115.0 |
|          |       | 12      | NE            | NW  |     | IRR | 10.0  |       |
|          |       |         | NW            | NW  |     | IRR | 30.0  |       |
|          |       |         | SW            | NW  |     | IRR | 10.0  |       |
|          |       |         | Section Acres |     |     |     |       | 50.0  |
|          |       |         | Total Acres   |     |     |     |       | 165.0 |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR 84.6% OF CLAIM 24-04068.

WATER FROM WARM CREEK AND BOOKS CREEK IS INTERCEPTED BY CROW CREEK DITCH.

CHANGED OWNERSHIP 3/7/95/JT/GT

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED  
NOV 07 1996

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: A24-04068A  
Date Received: 1/23/1990  
Receipt No: M005573  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: FERRIS NATE 208-847-0092  
Address: 115 VALLEY VIEW  
MONTPELIER, ID 83254  
AND/OR  
Name: DORA N. CROCKETT  
Address: 73-403 BOXTHORN LANE  
PALM SPRINGS, CA 92260  
AND/OR  
Name: HAROLD E. NATE  
Address: 420 CRESENT DR.  
MONTPELIER, ID 83254  
AND/OR  
Name: BIRDIE N. MICHAELSON  
Address: 340 N. 2ND  
MONTPELIER, ID 83254  
AND/OR  
Name: NATE LIMITED  
Address: 533 COOLIDGE AVE.  
MIDVALE, UT 84047

2. Date of Priority: AUG 28, 1913

3. Source: CROW CREEK Trib. to: SALT RIVER  
BOOKS CREEK CROW CREEK  
WARM CREEK CROW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 10S      | 45E   | 11      | NW     | SE     |        |     | CARIBOU |
|          |       |         | SW     | SE     |        |     | CARIBOU |
|          |       | 12      | SE     | NW     | NW     |     | CARIBOU |
|          |       |         | NW     | SW     | NW     |     | CARIBOU |

5. Description of diverting works:  
DITCH/FLUME

A24-04068A

Page 1

Date: 01/30/90

MICROFILMED  
NOV 06 1992

A2404068A



09/13/2006

**NOTICE OF ERROR  
REPLY**

RECEIVED

SEP 29 2006

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to <sup>Department of Water Resources</sup> ~~change your~~ recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:**

Water right number: 24-4068A

NATE N 1 RANCH  
537 WASHINGTON  
MONTPELIER ID 83254  
Telephone Number: (208) 847-0485

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9-22-06 SIGNATURE: Fred Nate  
Please print your name: FRED NATE

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



**COMPLETED**  
NOE KMS 10/2/06



# Idaho Department of Water Resources

SRBA Recommendation:

**24-4068A**

## Legend

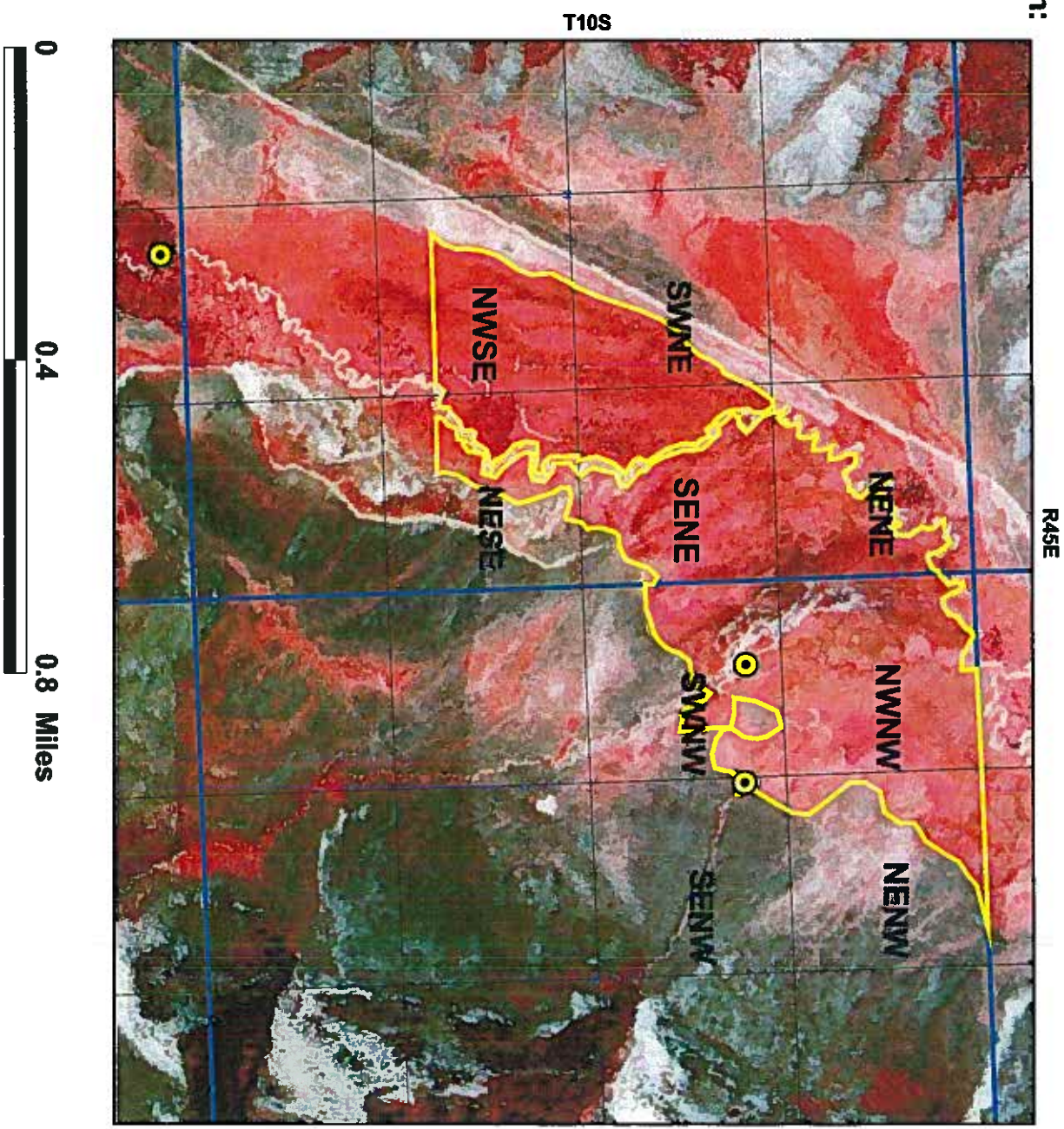
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Caribou County  
IDWR Basin 24



Prepared by A. Golar  
On Tuesday, August 8, 2006  
1987/88 Aerial Photography



CX1

Deer Creek

24-4062

24-4064

8-4-1932

24-4064

24-4068b

Grass Creek

2-13-1905

8-22-1910

24-4068A

4067

8-27-1929

24-4068A

12-15-1914

10-18-1909

8-16-1934

1

4

11 12  
13



T 10S R 45E PATENTS

9-1-05

24 - 4068A.

Ferris K. Nate.

Issues:

1. Was the ground in the amended claim irrigated under the priority date? or ~~Enlargement~~?
2. 27-4068B? What was the original statutory claim for?
3. Son 4/15 - 10/31
4. POD changed, when?
5. When did they add Books Crk & Warm Creek.
6. Total acres in revised shape 162.524 acres.

## Notes

11/19/04. Fred Nate called on his water rights to see what else he needed to do. He also said he had a 1913, 1914 priority date on his claims. I explained no. Because he didn't have enough evidence to support that priority. The documents in his file has several priority dates. Because the claim is combined he has to take the most junior date. For claim 24-4067, documents support 9-11-1929. and 24-4068A documents support a 6-25-1919 date.

Fred was going to see if he could find any other documents. CB

Nude field exam - CB

19 July 05 847-0092 - Claims - 847-0485 is Fred Nate 847-0485 - straight S of Rieder's cabin about  $\frac{1}{3}$  mile - by house. Late AM. Per Fred,  $\frac{1}{3}$  is Rieder,  $\frac{2}{3}$  is Nate.

21 July 05 Field exam w/ Mr. Nate.

8-23:05 Correction on field exam by Bryce BT

## Notes

11/4/04 cont'd. Crow Creek flows into their ditch in the SW 1/4 SE of Section 11, T.10S, R.45E.

The 1949 TOPO map doesn't show a ditch on it from Crow Creek. I think the only source we could recommend for irrigation would be Crow Creek.

The documentation that I received from Fred Nute would give this right a ~~1923~~ 6-25-1913 priority date.

30 July 05 GIS shows 175 acres, 10 more than claimed. Amended claim prepared. Bae

## Notes

- 10-21-04 Assessment of  
Nate - Ni Ranch LLC  
Fred K. Nate  
537 Washington St.  
Montebello, 83254 BX
- 11-28-04 Letter to claimant re ownership & evidence  
of priority. BP
- 10-29-04 Claimant responded to letter, had  
some questions. Told him we need form filled  
out, aerial photo he could get from FSA office,  
death certificate and portion of will showing  
he now owns the property. PB
- 11-1-04 Received from claimant  
Ownership change  
Warranty Deed - Fred's Note to Nate - NI  
Articles of Organization LLC  
Assessment Notice  
Map  
USDA Report XX
- 11-1-04 Letter to Claimant re clarify POD & POD BT
- 11-4-04: POD section 11 SW SE, T10S R4SE. Fred Nate  
came in the office at that time he described  
his system. Books Creek, Warm Creek flow  
in a westerly direction and natural flows  
onto the ground. Some of the flows get  
to their ditch that goes northeasterly.

## Contacts Data Entry Form

A24-04068A

[illegible]

Current Owner \_\_\_\_\_

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_

Current Owner \_\_\_\_\_

**Current Owner** \_\_\_\_\_

Representing Attorney: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Accompanied By: Fred Nate Phone Number: \_\_\_\_\_

Relationship to Claimant: Self

Date of Field Exam: 21 July 05 Time: AM

**Directions to Property (if different from above) and/or update owner information:**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

## Contacts Data Entry Form

## Priority Date Data Entry Form

Claim Number: 24-4068A

Water Right Priority Date: \_\_\_\_\_ Water Right Basis: \_\_\_\_\_

Claimed Priority Date: \_\_\_\_\_ Claimed Basis: \_\_\_\_\_

Recommended Priority Date: Aug 28-1923  
6-25-1919 Recommended Basis: B.U.☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Documents are in 24-4067.  
Warranty deed.Please see Narrative for A24-04068B. It is  
very important that 4068A and 4068B are  
recommended w/ identical priority date. Bac.1956 aerial photos are difficult to interpret. I think I  
can see evidence of the ditch. Bac 1 Aug 05Reviewer: CBDate: 11/4/04

Priority Date Data Entry Form

## Point of Diversion and Source Data Entry Form

Claim Number. A24-4068A

Water Right Point of Diversion: T\_\_\_\_, R\_\_\_\_, Sec. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary: \_\_\_\_\_

Claimed Point of Diversion: T\_\_\_\_, R\_\_\_\_, Sec. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary: \_\_\_\_\_

**Recommended Point of Diversion:** T\_\_\_\_ R\_\_\_\_ Sec. \_\_\_\_\_ County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary: \_\_\_\_\_

           **Use Claimed POD and Source as Recommended POD and Source**

| Twp                                       | Rge | Sec | Gov Lot | OOQ of Q | County | Source   |
|-------------------------------------------|-----|-----|---------|----------|--------|----------|
| 105                                       | 45E | 14  |         | NW1/4NE  | Carbon | Crow Crk |
| GPS Coordinates: 2733032E 1266119N 120483 |     |     |         |          |        |          |

105 45E 12 NW SW NW Caribou Warm Creek  
GPS Coordinates: 2733876 E 1267019 N DATM 83

GPS Coordinates: 105 45E 12 NWSE NW Caribou Books Creek  
2734119 E 1267320 N IDTM F3

GPS Coordinates: \_\_\_\_\_

GPS Coordinates: \_\_\_\_\_

GPS Coordinates: \_\_\_\_\_

GPS Coordinates: \_\_\_\_\_

Other rights from this POD? A24-04064, A24-04068B

**Document how the POD and Source were verified and/or Pump and Motor data:**

Amended claim covers Crow Creek fr. Section 11 to 14.  
Bac 30 July 05

Transfers Changing POD \_\_\_\_\_

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

## Point of Diversion and Source Data Entry Form

## Purpose of Use Data Entry Form

Claim Number: A24-04068A☐ Use Claimed Purpose of Use as Recommended Purpose of Use

## Water Right Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit | Number of Other |
|-----------|-----------------|-----------------|------------|-----------------|
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |

## Claimed Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit | Number of Other |
|-----------|-----------------|-----------------|------------|-----------------|
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |

## Recommended Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit | Number of Other |
|-----------|-----------------|-----------------|------------|-----------------|
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |

Document how the Purpose of Use was verified:

Irrigation observed. No stock present but I saw  
evidence of stock use. Bal 30 July 05

Transfers Changing Purpose of Use \_\_\_\_\_

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

Purpose of Use Data Entry Form

## Place Of Use Data Entry Form

Claim Number: A24-04068☐ Use Claimed POU as Recommended POU

## Claimed Place of Use

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|---|--------|---------|-------|----------------|
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |

Total Acres \_\_\_\_\_

## Recommended Place of Use

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|---|--------|---------|-------|----------------|
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |

Total Acres \_\_\_\_\_

Document how the POU was verified:

Please see Amended claim / shapefile A24-04068A.sh  
Field inspection, owners' review of layout GIS were  
used in determining POU. Dec 30 July 05

Transfers Changing POU \_\_\_\_\_

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

Place Of Use Data Entry Form

## Period of Use and Quantity Data Entry Form

Claim Number: A24-04068A☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

## Water Right Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

## Claimed Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

## Recommended Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

Document how the Period of Use and/or Diversion Rate were verified:

See narrative in A24-04064 regarding discharge  
ditch flow estimate. Capacity is adequate to  
support diversion rate appropriate for wild flood.  
Mac 30 July 05.

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

Period of Use and Quantity Data Entry Form

**Claim No.:** \_\_\_\_\_

This image shows a single page of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or printed text on the page.

[illegible]

1) Amended claim letter 2) Photos 3) pages.  
~~3) letter~~

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

24-4068 A & B

- Issues:

1. - Original Source: Crow Creek  
SRBA claim: Crow Creek, Books Ck, + Warmack.  
When did we have a source change?
2. Purpose of use:  
Original we had 0.05 cfs for stock.  
Now both A & B claim 0.05 for stock?
3. Points of diversion:  
24-4068 B claims one of original POD's but during the field exam the POD is in a completely direct section, now it is in NWNWNE Sec. 14, instead of NENESE of section 11. Looking at the maps, (TOPO, Hydro) I'm not convinced that the pod in the NWSE of section 11 was correct, but it doesn't match the other POD claimed either.  
When did it change? Is there evidence of the old POD's?  
24-4068 A SRBA filed 1/23/1990 claimed the original 2 POD's under the w/R plus 2 additional ones in section 12.  
The amended claim (8/12/05) claimed one of the 2 points diversions in section 12, added a new one in section 12 and one in section 14?  
The pod in section 14 is a quarter mile

from the original pod, so I don't think it's a matter of the gg. line. Because it isn't close to section lines that it's only a clarification of the original POD.

b).

4) POU. - SRBA Claims (24-4068 A & B).

with amended claim potentially are larger than statutory claim 24-4068.

evidence of change?

# Water Resources Field Services

P.O. Box 94  
Iona, ID 83427  
208-681-9100

19 August 2005

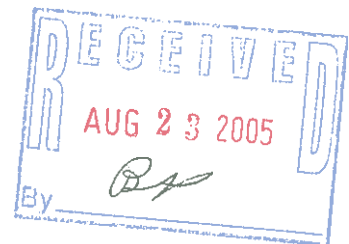
Cindy Bird  
IDWR  
15 West Center Street  
Soda Springs ID 83276

Re: Error in Place of Use, A24-04068A

Dear Cindy:

Today I discovered an error in the place of use list and shapefile that I submitted in July for claim A24-04068A. I placed the southern edge of the place of use along the quarter-section line. In reviewing the deed in claim file A24-10026, I see that the southern edge of A24-04068A should be north of the quarter-section line. On the August CD I will include a corrected shapefile, based on a GPS reading I took at the fence line. The corrected acreage list is below:

| A24-04068A Revised Acres 19 August 2005 |         |    |    |       |
|-----------------------------------------|---------|----|----|-------|
| Township, Range                         | Section | QQ | Q  | Acres |
| 10S45E                                  | 11      | NE | NE | 17    |
| 10S45E                                  | 11      | SW | NE | 11    |
| 10S45E                                  | 11      | SE | NE | 35    |
| 10S45E                                  | 11      | NE | SE | 13    |
| 10S45E                                  | 11      | NW | SE | 19    |
| Section Total                           |         |    |    | 95    |
| 10S45E                                  | 12      | NE | NW | 11    |
| 10S45E                                  | 12      | NW | NW | 38    |
| 10S45E                                  | 12      | SW | NW | 19    |
| 10S45E                                  | 12      | SE | NW | 1.1   |
| Section Total                           |         |    |    | 69.1  |
| Total Acres                             |         |    |    | 164.1 |



Sincerely,

*Bryce A. Contor*  
Bryce A. Contor

**Water Resources Field Services**

P.O. Box 94  
Iona, ID 83427  
208-681-9100

Fred Nate  
Nate-N1 Ranch, LLC  
537 Washington Street  
Montpelier ID 83254

Re: Amended Claim, A24-04068A

Dear Mr. Nate:

The computer map shows that there are twelve more irrigated acres on the Crow Creek/Warm Creek/Books Creek water right than were shown on the claim. The enclosed amended claim adjusts the acres and also adjusts the location of the Crow Creek diversion. It is actually a few feet south into Section 14.

If you would like to claim the additional acres, please return this claim with a notarized signature and a check for \$12.00 to:

Cindy Bird  
IDWR  
15 West Center Street  
Soda Springs ID 83276

Please call me at 208 681 9100, or call Ms. Bird at 208 547 3993, if you have questions.

Sincerely,

Bryce A. Contor

Adjudication Claim no A24-04068A (Nate), A24-04068B  
(Reide)

Field Photos



Looking upstream  
into Warm  
Creek just above  
POD. Creek is  
flowing though  
not apparent in  
photo. 21 July,  
photo location  
Waypoint 9  
2734039E  
1267019N  
IDTM 83



Warm Creek  
POD. Entire  
flow of creek  
is intercepted  
by ditch. Ditch  
comes in from  
left, creek  
comes in from  
right. Photo  
looking N.  
No site tag.  
Waypoint 10  
2733876E  
1267322N  
IDTM 83  
Bac

Adjudication Claim no A24-4068A (Nate)  
A24-10026 (Alleman)

Field Photos



Looking S at  
flume that  
carries water  
across Crow  
Creek from P.O.  
on SE to Ave  
on NW.  
21 July 05



Crow Creek  
Diversion  
looking SW.  
Creek comes in  
from left &  
exits to right  
through gates  
under bank.  
Diversion comes  
North toward  
camera  
21 July 05

OAC  
25 July 05

Adjudication Claim no A24-04068A (Nate)  
A24-04068B (Riede)

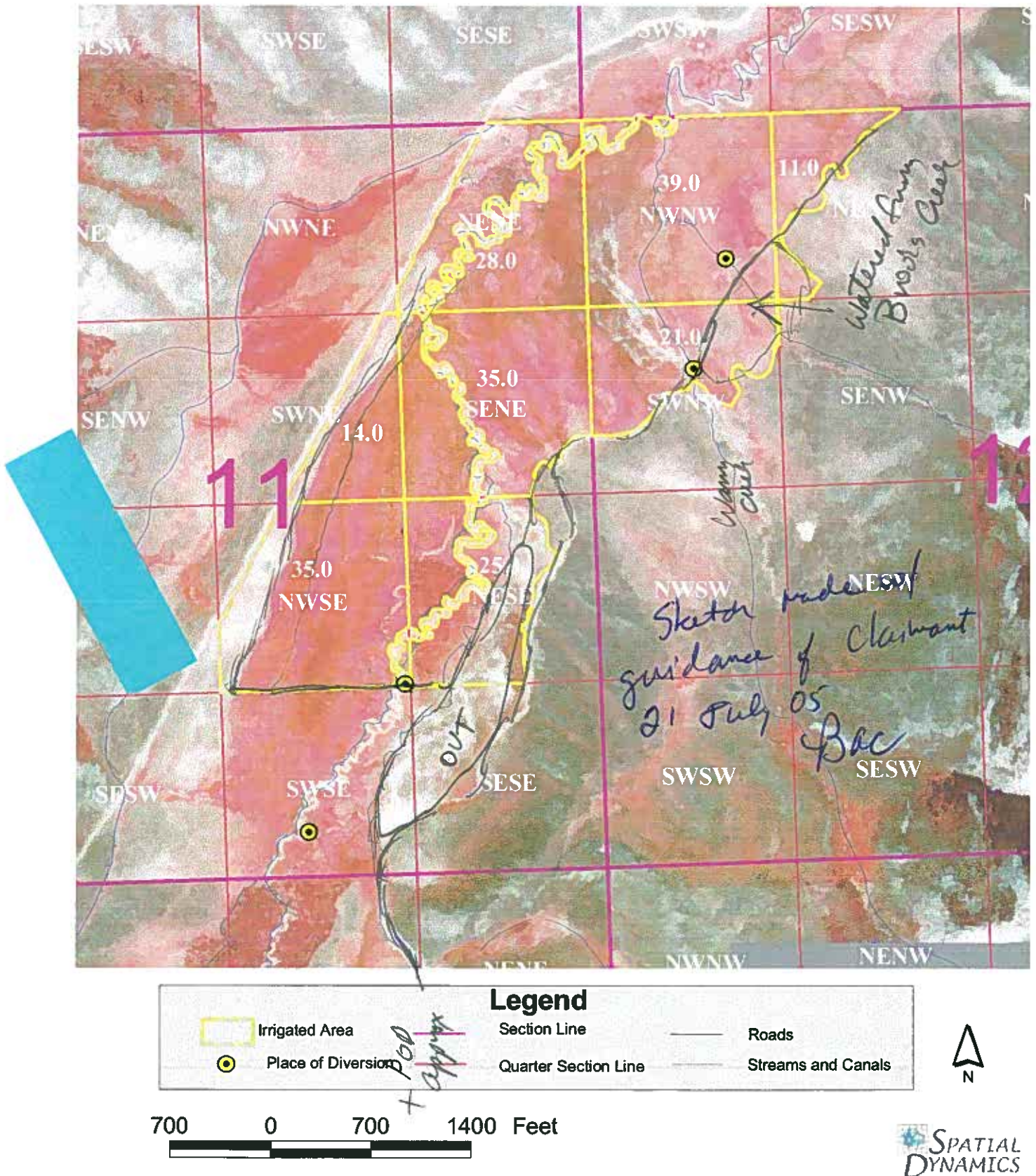
Field Photos



Books Creek  
POD (at "X").  
Creek is split  
into two ditches  
that water a  
small pool on  
uphill (S) side  
of ditch within  
A24-04068A.  
Tailwater is  
picked up by  
ditch from Crow  
Creek & Warm  
Creek & carried  
NE to Pod  
within 4068A  
and 4068B.  
No site tag.  
Waypoint 11  
2734119E  
1267320 N  
DOTM 83.  
Photo looking  
NW, 21 July  
05. Bac

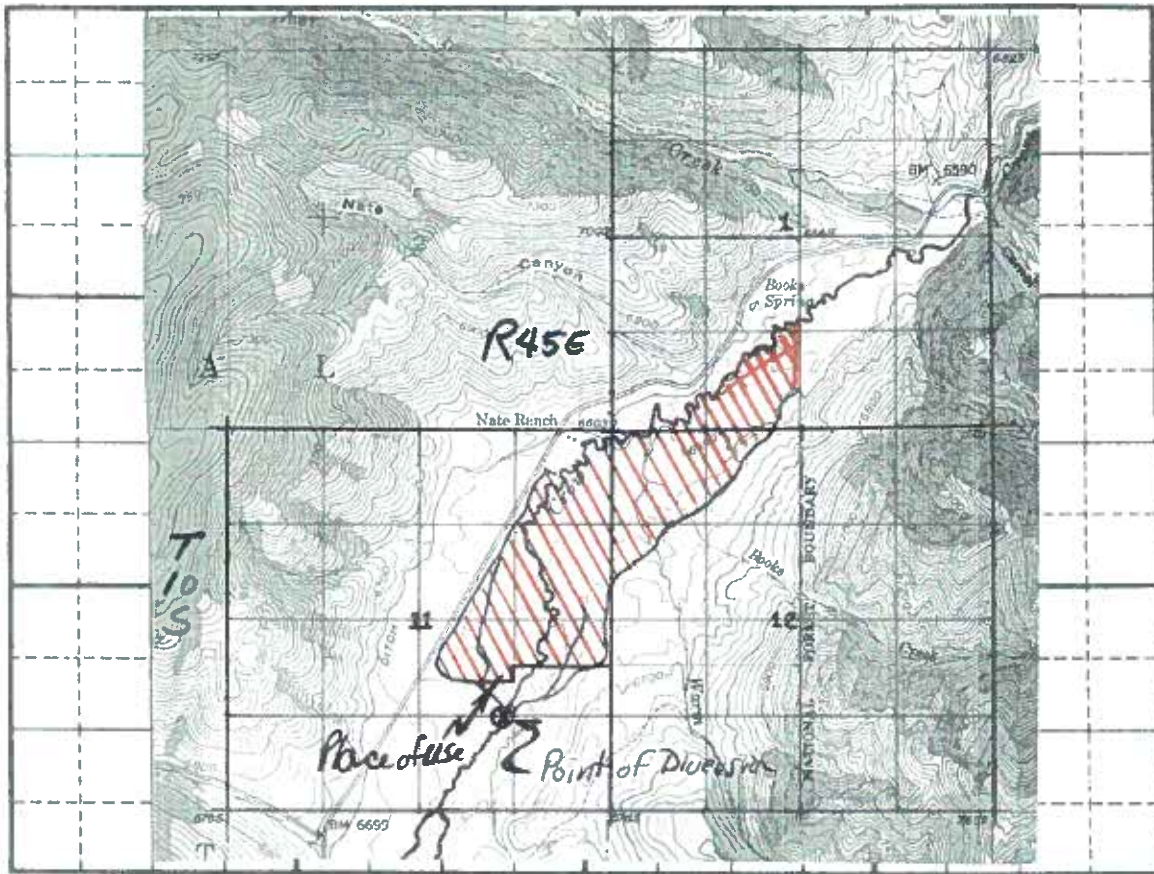
# Water Right Claim Number 24-04068A Township , 10S45E

04/30/2001





18) Remarks \_\_\_\_\_



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of Caribou ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

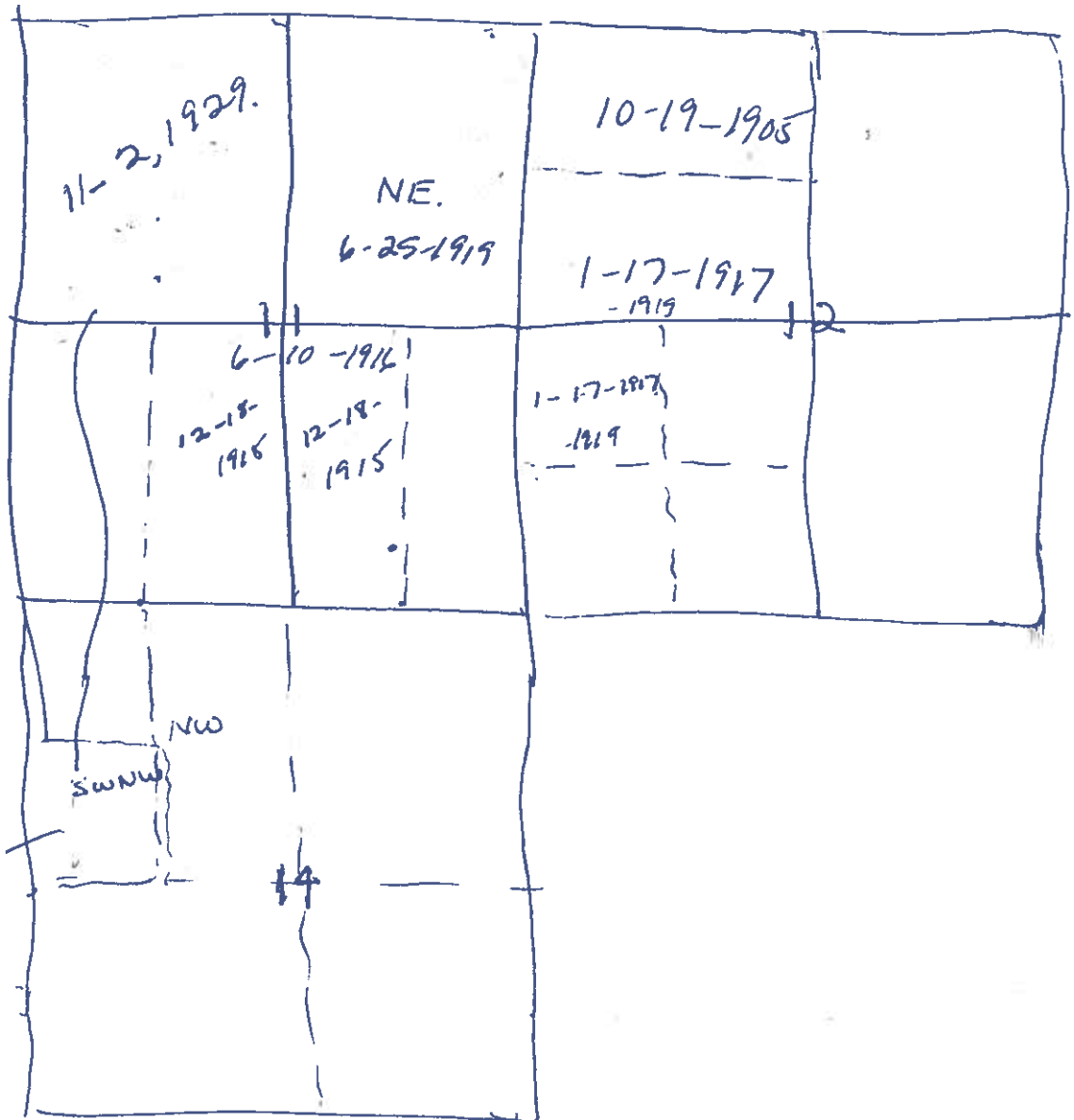
Sworn to before me this 14th day of February, 1985.  
\_\_\_\_\_  
Notary Public  
Residing at Idaho Falls, ID

My commission expires 6-15-85

| RECEIVED                               |                       |                     |              |
|----------------------------------------|-----------------------|---------------------|--------------|
| FOR DEPARTMENT USE ONLY                |                       |                     |              |
| Received by <u>KCW</u>                 | Date <u>14 Feb 85</u> | Exception filed by: | Forwarded to |
| Adm. check by <u>HWS</u>               | Date <u>2-14-85</u>   | claimant by:        | Date         |
| \$30.00 fee received by <u>BP</u>      | Date <u>2-14-85</u>   |                     |              |
| Published in <u>Caribou County Sun</u> |                       |                     |              |
| Dates <u>2/24</u> : <u>3/3/83</u>      |                       |                     |              |

T10S, R 4SE.

Sec. 11



24-4067  
97 acres

24-4068a default  
208 acres

10 11  
15 14

11 12  
14 13

24-4068a  
771 acres

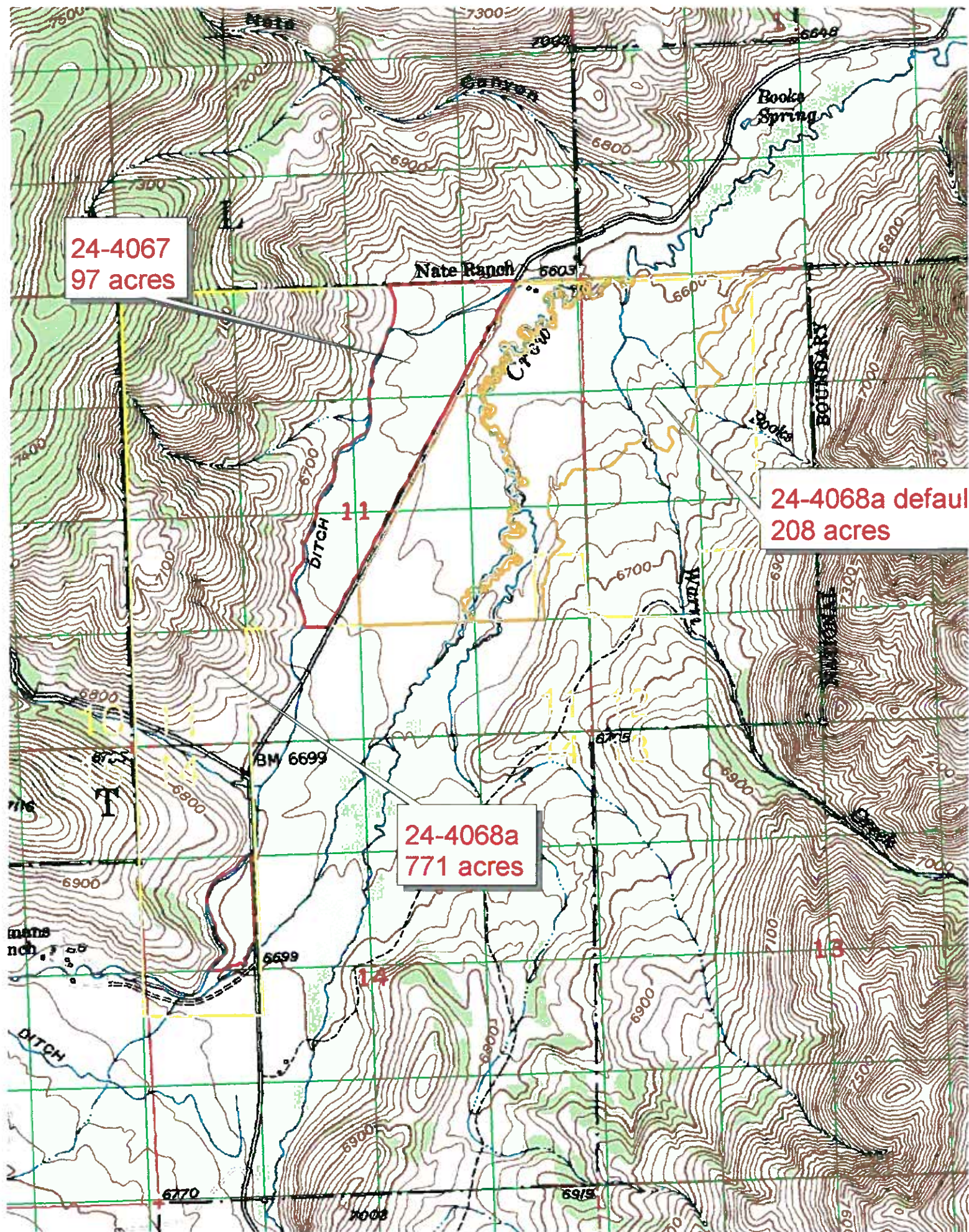
1987 Imagery

24-4067  
97 acres

Nate Ranch

24-4068a default  
208 acres

24-4068a  
771 acres



24-4067  
97 acres

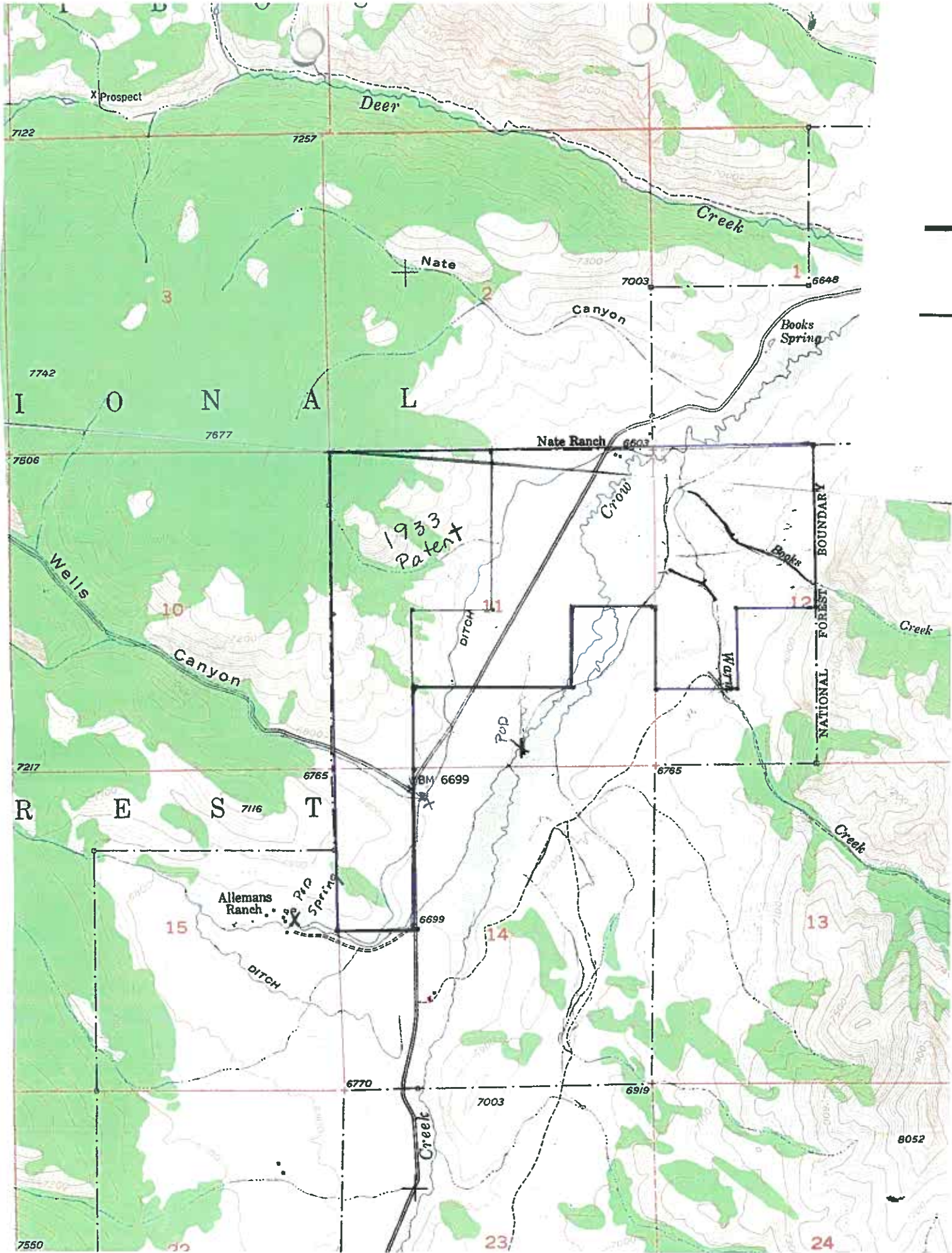
24-4068a default  
208 acres

10 11  
15 14

11 12  
14 13

24-4068a  
771 acres

1992 Imagery



24-4068A



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

1 November 2004

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

COPY

Nate-N1 Ranch, LLC  
537 Washington St.  
Montpelier, ID 83254

Re: Snake River Basin Adjudication (SRBA)  
Claim 24-4067 & 24-4068A

Subject: **CLARIFICATION ON PLACE OF USE (POU) and POINT OF  
DIVERSION (POD)**

**Response Date: 24 November 2004**

Dear Claimant(s),

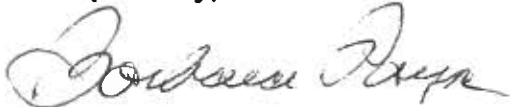
Thank you for returning the Change in Water Right Ownership form and the warranty deed conveying the property to Nate-N1 Ranch LLC.

I am returning a copy of the plat. Please indicate on the plat the area covered by each of the individual claims. For example, for Claim 24-4068A, please draw a line around the specific 165 acres in Sections 11 and 12. For claim 24-4067 please draw a line around the specific 105 acres in Sections 11 and 14. There are six PODs. Please indicate and label each POD with the corresponding claim number.

Please respond by the above date referencing **all documents with the corresponding Notice number.** If you have any questions not covered by this

letter, please feel free to contact me at 547-3993.

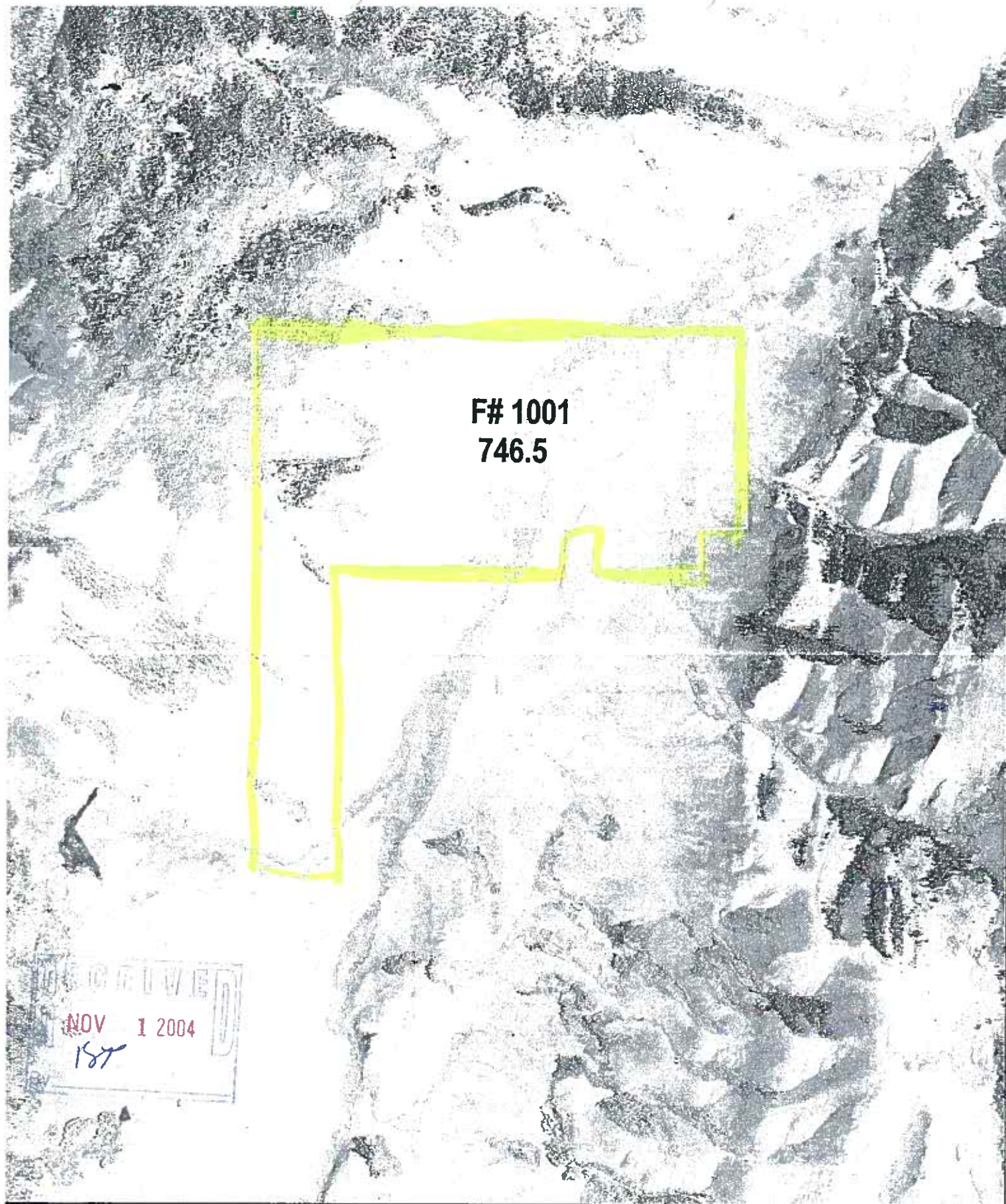
Respectfully,

A handwritten signature in cursive script, appearing to read "Barbara Payne".

Barbara Payne

Enclosure:

Map



F# 1001  
746.5

RECEIVED  
NOV 1 2004  
187

Fract 5409  
Farm 327

T10-11S-R.45E

Clu16007.shp

0.2 0 0.2 0.4 0.6 0.8 Miles



Map Printed: Jul 9, 2004

# STATE OF IDAHO

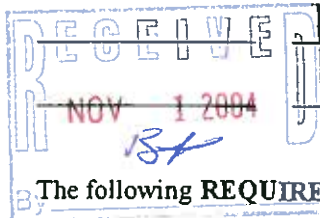
## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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<br>Right No(s). | Adjudication<br>Claim No(s) | Split    | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|-----------------------------|----------|-----------------------|------------------------------|-------|
| _____                 | <u>24-4067</u>              | _____    | _____                 | _____                        | _____ |
| _____                 | <u>24-4068</u>              | <u>A</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)

Ferris K. Nate

115 Valley View Dr., Montpelier, ID

4. New Owner/Claimant(s)

NATE - N1 RANCH LLC

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

537 WASHINGTON

City, State and ZIP Code

MONTPELIER ID 83254

New Telephone Number

(208) 947-0485

5. Date you acquired the property

MARCH 31, 2000

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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

*David M. Tate*  
*MGR/MBR*

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 _____  | Date _____    | Fee _____           |
| Received by _____  | Date _____    | Receipt No. _____   |
| Processed by _____ | AJ Date _____ | WR _____ Date _____ |

CORRECTION  
WARRANTY DEED

FOR VALUE RECEIVED, FERRIS K. NATE, a single man, whose address is 115 Valley View, Montpelier, Idaho (hereinafter "Grantor") does hereby grant, bargain, sell and convey unto NATE-N1 RANCH, L.L.C., whose current address is 115 Valley View, Montpelier, Idaho 83263 (hereinafter "Grantee"), its successors and assigns forever, the following described premises in Caribou County, Idaho, to-wit:

Township 10 S, Range 45 East, B.M., Caribou County, Idaho:

Section 11: N1/2, W1/2 SW1/4, N 990' E1/2 SW1/4, N 990' W1/2 SE1/4

Section 12: NW1/4, NW1/4 SW1/4

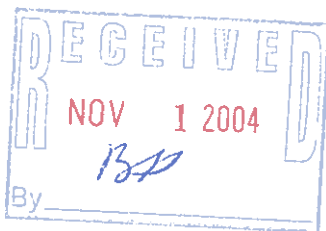
Section 14: W1/2 NW1/4.

Excepting therefrom any portion within the County Road right of way.

TO HAVE AND TO HOLD the said premises, with their appurtenances, including all gas, oil and mineral rights.

Grantor does hereby covenant that he is the owner in fee simple of said premises; that they are free from all encumbrances excepting discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, easements or claims of easement not shown by the public records, use restrictions and building and zoning regulations and ordinances of any governmental unit, and that they will warrant and defend the same from all lawful claims.

DATED this 31<sup>st</sup> day of MARCH, 2000.



Ferris K. Nate  
FERRIS K. NATE

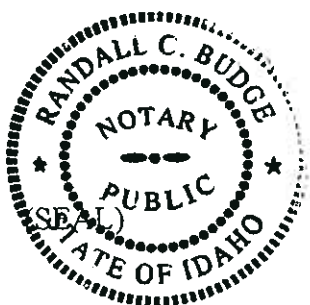
STATE OF IDAHO } ss 161201  
County of Caribou }  
I hereby certify that this instrument was filed at the request  
of Randall C. Budge  
at 2:45 o'clock P m this 14 day of  
April, 2000 in my office and duly  
recorded official Records  
Recorder Edie Izatt  
Denise Harsley  
Signature Deputy

161201

STATE OF IDAHO )  
 : ss  
County of Bannock )

On this 31<sup>st</sup> day of MARCH, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Ferris K. Nate, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.

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



Randall C. Budge  
NOTARY PUBLIC FOR IDAHO  
Residing at: Pocatello, ID  
My Commission Expires: 10/11/2000



STATE OF IDAHO } ss 161422  
County of Caribou }  
I hereby certify that this instrument was filed at the request  
of Randall C. Budge  
at 2:35 o'clock P m this 24 day of  
May, 2000 in my office and duly  
recorded official Records  
Recorder Edie Izatt  
Denise Morsley Deputy  
Signature Deputy

FILED/EFFECTIVE

00 MAR 31 AM 10:18

SECRETARY OF STATE  
STATE OF IDAHO

# ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

To the Secretary of State of Idaho  
Corporations Division  
700 West Jefferson Room 203  
P.O. Box 83720 • Boise, ID 83720-0080



1. The name of the limited liability company is: NATE-N1 RANCH, L.L.C.
2. The address of the initial registered office is: 115 Valley View, Montpelier,  
IDAHO 83254 (not a PO Box) and the name of the initial registered agent at that address is: Ferris K. Nate  
Signature of registered agent: x Ferris K. Nate
3. The latest date certain on which the limited liability company will dissolve: 1/01/2050
4. Is management of the limited liability company vested in a manager or managers?  
☒ Yes ☐ No (check appropriate box)
5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.  

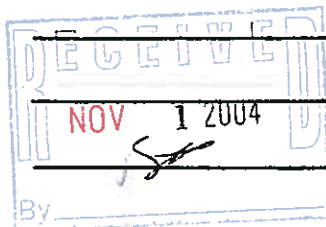
| Name:                 | Address:                                     |
|-----------------------|----------------------------------------------|
| <u>Ferris K. Nate</u> | <u>115 Valley View, Montpelier, ID 83254</u> |
| <u>Fred Nate</u>      | <u>537 Washington, Montpelier, ID 83254</u>  |
| _____                 | _____                                        |
| _____                 | _____                                        |
6. Signature of at least one person listed in #5 above:

x Ferris K. Nate  
Ferris K. Nate

IDAHO SECRETARY OF STATE

03/31/2000 09:00  
CK: 13631 CT: 1108 BH: 304832

1 - \$100.00 - 100.00 ORGAN LLC # 2  
Secretary of State use only



W11616

# ASSESSMENT NOTICE

& ESTIMATE OF TAX

THIS IS NOT A BILL.  
DO NOT PAY.

## PARCEL DESCRIPTION:

N1/2, W1/2SW1/4, N990'E1/2SW1/4  
N990'W1/2SE1/4 SEC. 11, NW1/4,  
NW1/4SW1/4, SEC. 12, W1/2NW1/4  
SEC. 14, 740 AC. T10S, R45E

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208)-547-4749

PARCEL ADDRESS:

NATE-N1 RANCH, LLC  
NATE, FRED K  
537 WASHINGTON ST  
MONTPELIER, ID 83254

Appeals of your property value must be filed in  
writing, on a form provided by the County, by:

JUN 28, 2004

Tax Code Area: 06

Parcel Number: 21410

CIRCUIT BREAKER IS NOT INCLUDED

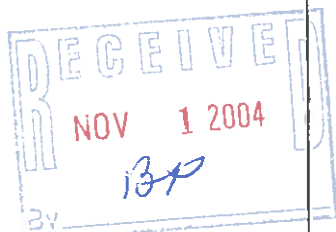
| ASSESSED VALUE OF YOUR PROPERTY    |            |                   |                      |
|------------------------------------|------------|-------------------|----------------------|
| CURRENT CATEGORY AND DESCRIPTION   | LOTS/ACRES | LAST YEAR'S VALUE | CURRENT YEAR'S VALUE |
| 05 DRY GRAZING                     | 598.00     | 33,858            | 33,858               |
| 04 MEADOW                          | 80.00      | 18,185            | 18,185               |
| 19 WASTE                           | 62.00      |                   |                      |
| 32 NONRESIDENTIAL                  |            | 2,700             | 2,700                |
| <b>SUBTOTAL:</b>                   | 740.00     | 54,743            | 54,743               |
| <b>LESS HOMEOWNERS EXEMPTION:</b>  |            |                   |                      |
| <b>NET TAXABLE PROPERTY VALUE:</b> | 740.00     | 54,743            | 54,743               |

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

| ESTIMATED PROPERTY TAXES                |                   |                                   |                                  |                                  |
|-----------------------------------------|-------------------|-----------------------------------|----------------------------------|----------------------------------|
| TAXING DISTRICTS                        | LAST YEAR'S TAXES | CURRENT YEAR'S<br>ESTIMATED TAXES | PHONE NUMBER                     | DATE OF PUBLIC<br>BUDGET HEARING |
| SCHOOL DIST 150<br>COUNTY               | 355.48<br>299.16  | 355.48<br>299.16                  | (208)-547-3371<br>(208)-547-4324 | 06/09/2004<br>09/07/2004         |
| <b>SUBTOTAL:</b>                        | 654.64            | 654.64                            |                                  |                                  |
| <b>FEES:</b>                            | 35.20             | 35.20                             |                                  |                                  |
| <b>TOTAL PROPERTY TAXES &amp; FEES:</b> | 689.84            | 689.84                            |                                  |                                  |

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.



LAKE

## Farm Service Agency

Crop Year: 2004

Plot ID: FSA-156EZ-R001

## Abbreviated 156 Farm Record

Page: 1

| TOR: Name & Address                          | FARMLAND     | CROPLAND | DCP<br>CROPLAND | EFF DCP<br>CROPLAND | DBL CROPPED<br>ACRES | FARM DESCRIPTION | STATUS |
|----------------------------------------------|--------------|----------|-----------------|---------------------|----------------------|------------------|--------|
| FRED NATE<br>537 WASHINGTON ST<br>MONTPELIER | 1016.1       | 49.9     | 49.9            | 49.9                | .0 L-13              |                  | ACTIVE |
|                                              | 208-847-0485 |          |                 |                     |                      |                  |        |
|                                              | ID 83254     | 1546     |                 |                     |                      |                  |        |

ASSOC. WITH OP: 831 1402 978

PRODUCERS ASSOCIATED WITH FARM:

cropland: .0 CRP MPL: .0  
 contract No.: NONE  
 REF. NO.: 00000

FAV/WR HISTORY: N

f Tracts: 4 Year: 2004  
 NO.: 1323

| ANGE UNIT NO.: |          | DCP      | CRP<br>CROPLAND | ACRES     | WBP ACRES | WRP ACRES       | STATE<br>CONSRV | OTHER<br>CONSRV     | EFF DCP<br>CROPLAND | CRP MPL<br>ACRES  | DBL CROP<br>ACRES |
|----------------|----------|----------|-----------------|-----------|-----------|-----------------|-----------------|---------------------|---------------------|-------------------|-------------------|
| RMLAND         | CROPLAND | CROPLAND | ACRES           | WBP ACRES | WRP ACRES | STATE<br>CONSRV | OTHER<br>CONSRV | EFF DCP<br>CROPLAND | CRP MPL<br>ACRES    | DBL CROP<br>ACRES |                   |
| 60.0           | 49.9     | 49.9     | .0              | .0        | .0        | .0              | .0              | 49.9                | .0                  | .0                |                   |

Grid Descr: S2 T14 R44 New Map L-13

| HEL | O27 | A027 | WL | CW | FW | PC | AW | MW | PCW | MG | RW | CWTE | CWNA |
|-----|-----|------|----|----|----|----|----|----|-----|----|----|------|------|
| N   | N   | N    | Y  | N  |    |    |    |    | N   |    |    |      |      |

OWNER 1 - FRED NATE

NO.: 5409

| ANGE UNIT NO.: |          | DCP      | CRP<br>CROPLAND | ACRES     | WBP ACRES | WRP ACRES       | STATE<br>CONSRV | OTHER<br>CONSRV     | EFF DCP<br>CROPLAND | CRP MPL<br>ACRES  | DBL CROP<br>ACRES |
|----------------|----------|----------|-----------------|-----------|-----------|-----------------|-----------------|---------------------|---------------------|-------------------|-------------------|
| RMLAND         | CROPLAND | CROPLAND | ACRES           | WBP ACRES | WRP ACRES | STATE<br>CONSRV | OTHER<br>CONSRV | EFF DCP<br>CROPLAND | CRP MPL<br>ACRES    | DBL CROP<br>ACRES |                   |
| 740.0          | .0       | .0       | .0              | .0        | .0        | .0              | .0              | .0                  | .0                  | .0                | .0                |

Grid Descr: CARIBOU

| HEL | O27 | A027 | WL | CW | FW | PC | AW | MW | PCW | MG | RW | CWTE | CWNA |
|-----|-----|------|----|----|----|----|----|----|-----|----|----|------|------|
| N   | N   | N    | N  | N  |    |    |    |    | N   |    |    |      |      |

OWNER 1 - FRED NATE

NO.: 5439

| ANGE UNIT NO.: |          | DCP      | CRP<br>CROPLAND | ACRES     | WBP ACRES | WRP ACRES       | STATE<br>CONSRV | OTHER<br>CONSRV     | EFF DCP<br>CROPLAND | CRP MPL<br>ACRES  | DBL CROP<br>ACRES |
|----------------|----------|----------|-----------------|-----------|-----------|-----------------|-----------------|---------------------|---------------------|-------------------|-------------------|
| RMLAND         | CROPLAND | CROPLAND | ACRES           | WBP ACRES | WRP ACRES | STATE<br>CONSRV | OTHER<br>CONSRV | EFF DCP<br>CROPLAND | CRP MPL<br>ACRES    | DBL CROP<br>ACRES |                   |
| 108.7          | .0       | .0       | .0              | .0        | .0        | .0              | .0              | .0                  | .0                  | .0                | .0                |

Grid Descr: R44E T14S SEC 9 MAPH-13

| HEL | O27 | A027 | WL | CW | FW | PC | AW | MW | PCW | MG | RW | CWTE | CWNA |
|-----|-----|------|----|----|----|----|----|----|-----|----|----|------|------|
| N   | N   | N    | N  | N  |    |    |    |    | N   |    |    |      |      |

OWNER 1 - FRED NATE

NOV 1 2004

B4

LAKE

rt ID: FSA-156EZ-R001

Farm Service Agency  
Abbreviated 156 Farm Record

Crop Year: 2004

Page: 2

NO.: 5443

RANGE UNIT NO.:

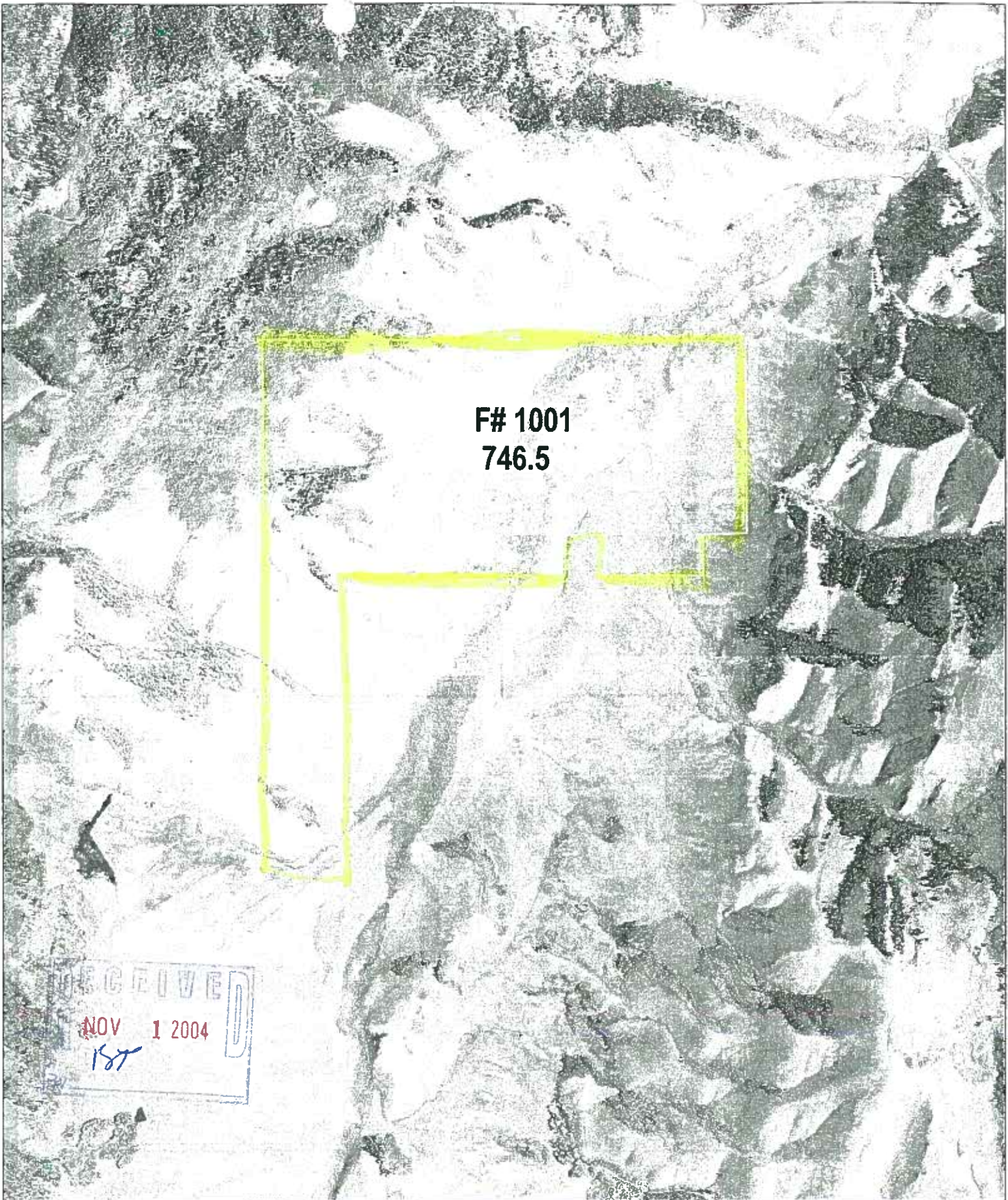
|        |          | DCP      | CRP      |           |           |        |        |          |         |          |  |  |    |
|--------|----------|----------|----------|-----------|-----------|--------|--------|----------|---------|----------|--|--|----|
|        |          |          | CROPLAND |           |           |        |        |          |         |          |  |  |    |
| WMLAND | CROPLAND | CROPLAND | ACRES    | WBP ACRES | WRP ACRES | STATE  | OTHER  | EFF DCP  | CRP MPL | DBL CROP |  |  |    |
|        |          |          |          |           |           | CONSRV | CONSRV | CROPLAND | ACRES   | ACRES    |  |  |    |
| 107.4  | .0       | .0       | .0       | .0        | .0        | .0     | .0     | .0       | .0      | .0       |  |  | .0 |

Grid Descr: R44E T13S SEC 32,33,5,4, MAP H-12

HEL 027 A027 WL CW FW PC AW MW PCW MG RW CWTE CWNA  
N N N N N N N

OWNER 1 - FRED NATE

NOV 1 2004



RECEIVED  
NOV 1 2004  
187

Tract 5409  
Farm 327

T10-11S-R.45E

Clu16007.shp

0.2 0 0.2 0.4 0.6 0.8 Miles



Map Printed: Jul 9, 2004



State of Idaho

## DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

28 October 2004

Nate-Ni Ranch, LLC  
Fred K. Nate  
537 Washington St.  
Montpelier, ID 83254

COPY

Re: Snake River Basin Adjudication (SRBA)  
Claim 24-4067 & 24-4068A

Subject: **CHANGE IN OWNERSHIP & EVIDENCE OF PRIORITY**

Response Date: 24 November 2004

Dear Claimant(s),

The Idaho Department of Water Resources has begun its water right review in Basin 24. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA).

We have been advised that you are the current owner of the property and water right(s) referenced above. Before we can modify our records to reflect your ownership of the property, we need Form 42-248/42-1409(6) completed, signed and returned. I have enclosed the form for your convenience.

The basis of the above referenced Notice of Claim is a "statutory claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion

works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

We have on file copies of the following documents:

- U.S.A. Patent to Charles Russell Nate
- Warranty Deed, Arthur & Sonja Nate to Ferris K. Nate
- Warranty Deed, Nate Limited to Ferris K. Nate
- Warranty Deed, Dora N. Crockett to Ferris K. Nate
- Warranty Deed, Birdie N. Mickaleson to Ferris K. Nate
- QuitClaim Deed, Fred Crockett to Ferris K. Nate

We need the additional documents to provide a chain of documents that connect the current owner to the original owner.

In the adjudication review process there is no filing fee. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked and a copy of the warranty deed.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....  
**The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.**  
.....

Please submit the documentation supporting the priority date by the above noted response date referencing **all documents with the corresponding Notice**

**number.** If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

A handwritten signature in cursive script, appearing to read "Barbara Payne".

**Barbara Payne**

Enclosure:

Form 42-248/42-1409(6) "Change in Water Right Ownership"  
Notice of Claim to a Water Right 24-4067 & 24-4068A  
Evidence of Priority brochure

**Timeline**  
**24-4067 & 24-4068A**

|                                                                           |                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>7/12/1933</b>                                                          | <b>U.S.A. Patten 1031809 to Charles Russell Nate</b><br><b>T10S, R45E, Section 11, NW, W1/2NW</b><br><b>T10S, R45E, Section 14, W1/2NW</b><br><b>320 acres</b>                                                                                                           |
| <b>1/7/1992</b><br><b>4067 &amp; 4068A</b><br><b>4068A</b><br><b>4067</b> | <b>Warranty Deed, Arthur B. &amp; Sonja Nate Clark to Ferris K. Nate</b><br><b>T10S, R45E, Section 11, N1/2, W1/2SW, E1/2SW, W1/2SE, part of</b><br><b>T10S, R45E, Section 12, NW, NWSW</b><br><b>T10S, R45E, Section 14, W1/2NW, part of</b><br><b>Recorded #142828</b> |
| <b>1/7/1992</b>                                                           | <b>Warranty Deed, Nate Limited to Ferris K. Nate</b><br><b>T10S, R45E, Section 11, N1/2, W1/2SW, E1/2SW, W1/2SE, part of</b><br><b>T10S, R45E, Section 12, NW, NWSW</b><br><b>T10S, R45E, Section 14, W1/2NW, part of</b><br><b>Recorded #142912</b>                     |
| <b>1/8/1992</b>                                                           | <b>Warranty Deed, Dora N. Crockett to Ferris K Nate</b><br><b>T10S, R45E, Section 11, N1/2, W1/2SW, E1/2SW, W1/2SE, part of</b><br><b>T10S, R45E, Section 12, NW, NWSW</b><br><b>T10S, R45E, Section 14, W1/2NW, part of</b><br><b>Recorded #142829</b>                  |
| <b>1/14/1992</b>                                                          | <b>Warranty Deed, Birdie N. Mickaelson to Ferrie K. Nate</b><br><b>T10S, R45E, Section 11, N1/2, S1/2SW, E1/2SW, W1/2SE, part of</b><br><b>T10S, R45E, Section 12, NW, NWSW</b><br><b>T10S, R45E, Section 14, W1/2,NW, part of</b><br><b>Recorded #142827</b>            |
| <b>1/17/1992</b>                                                          | <b>QuitClaim Deed Fred Crockett to Ferris K. Nate</b><br><b>T10S, R45E, Section 11, N1/2, W1/2SW, E1/2SW, W1/2SE, part of</b><br><b>T10S, R45E, Section 12, NW1/4, NWSW</b><br><b>T10S, R45E, Section 14, W1/2NW, part of</b><br><b>Recorded #142911</b>                 |

# Notes Ranch

Parcel 21410

|              |    |                                                                 |
|--------------|----|-----------------------------------------------------------------|
| 10, 45, Sec. | 11 | N $\frac{1}{2}$ , W $\frac{1}{2}$ SW, N 990' E $\frac{1}{2}$ SW |
|              | 11 | N 990' W $\frac{1}{2}$ SE                                       |
|              | 12 | NW, NW SW,                                                      |
|              | 14 | W $\frac{1}{2}$ NW                                              |

Dry grazing  
medium  
Waste

598 ac

80

62

BP



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

**RECEIVED**  
MAR 06 1995

Department of Water Resources  
Eastern District Office

DATE OF CLOSING: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY: Township 10 Range 45  
Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_  
If you have additional legal descriptions, please attach separate sheet. See Attached legal

☐ 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: 24-04068A AZ4-04067

☒ Name and Address of Former Owner/Claimant(s)(Seller): A. LESLIE NATE AND HEIRS

☒ New Owner/Claimant (Purchaser): FERRIS K. NATE

☒ New Mailing Address: 115 VALLEY VIEW DRIVE  
MONTPELIER ID 83254

☒ New Telephone Number: (208) 847-1673

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

☒ Attach proof of ownership, describe proof attached: WARRANTY DEED COPIES 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) Ferris K. Nate Date 2/28/95

☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

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

SCANNED

APR 01 2001

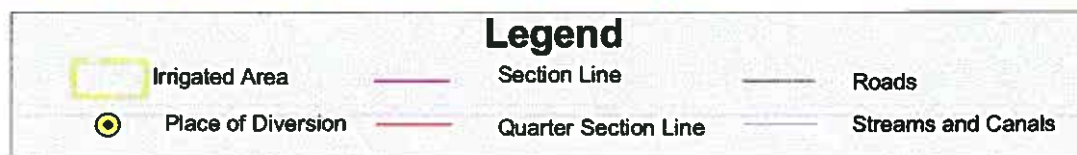
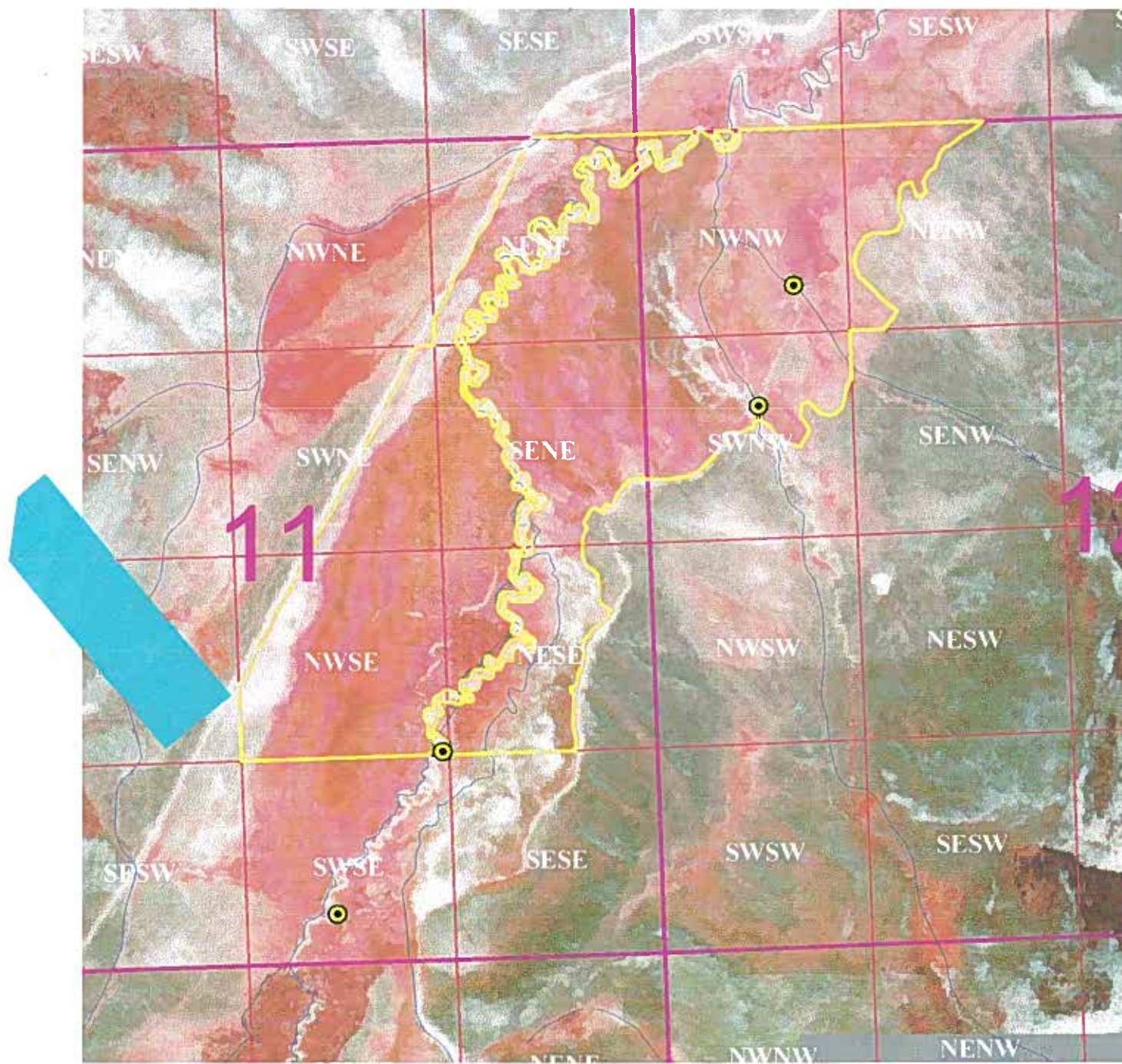
Log for claim 24-04068A

Spatial Dynamics LTD

4/30/01

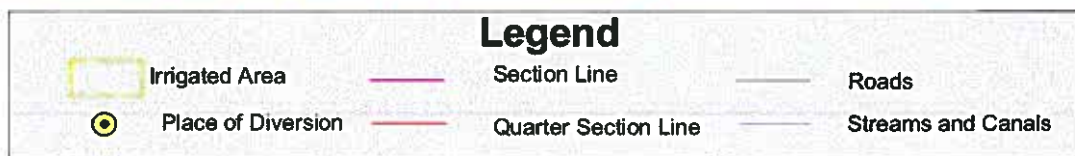
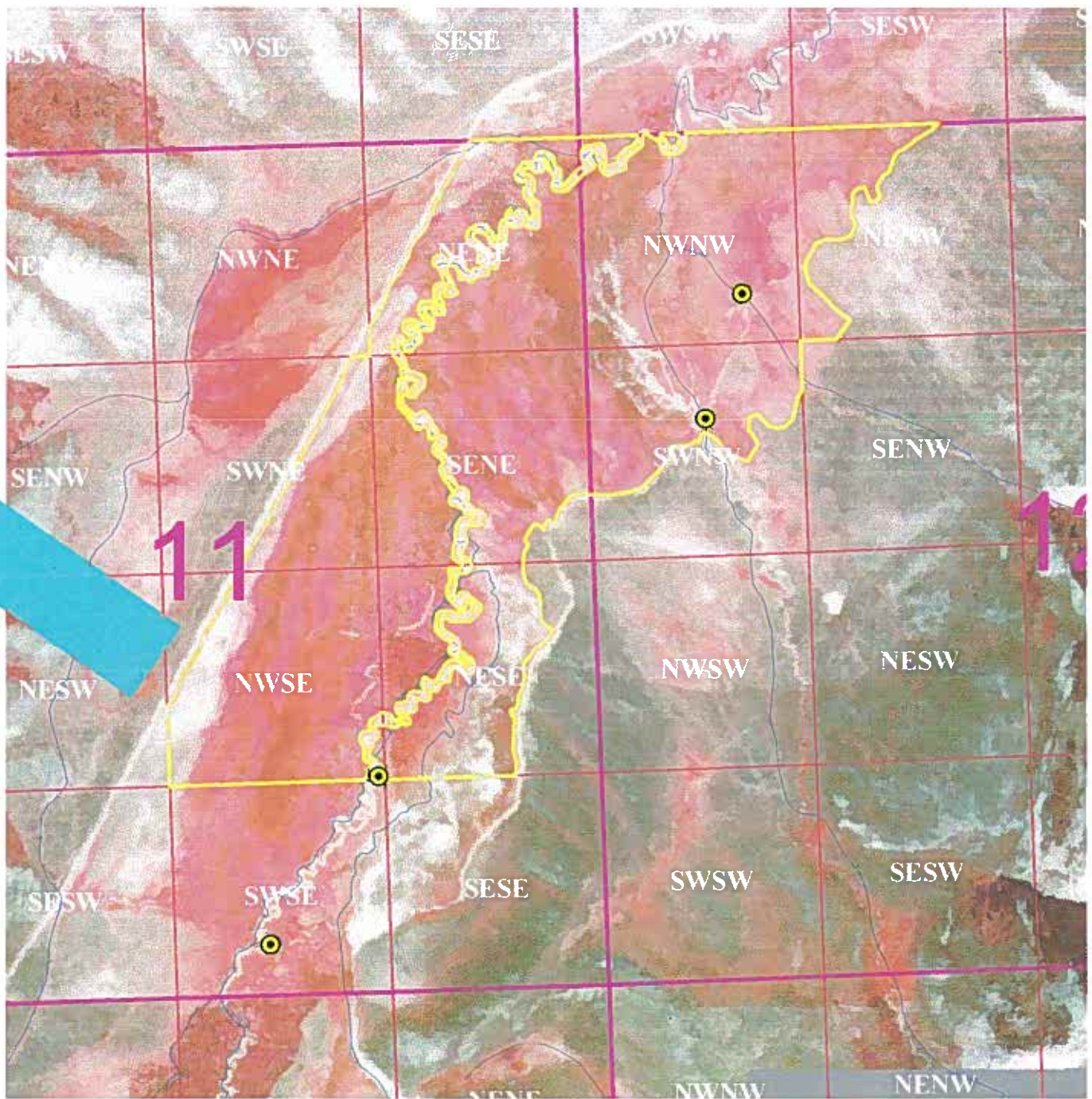
| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT                        |
|----------------|-----|------|------------------|----------------|--------------------------------|
| 10s45e         | 11  | NENE | 20               | 28             |                                |
| 10s45e         | 11  | SWNE | 15               | 14             |                                |
| 10s45e         | 11  | SENE | 40               | 35             |                                |
| 10s45e         | 11  | NESE | 20               | 25             |                                |
| 10s45e         | 11  | NWSE | 20               | 35             | POD placement?                 |
| 10s45e         | 12  | NENW | 10               | 11             |                                |
| 10s45e         | 12  | NWNW | 30               | 39             | POD placement? / Indiscernible |
| 10s45e         | 12  | SWNW | 10               | 21             | POD placement? / Indiscernible |
| <b>Totals:</b> |     |      | 165              | 208            |                                |

04/30/2001



Water Right Claim Number 24-04068A  
Township , 10S45E

04/30/2001



700 0 700 1400 Feet



MARCH 7, 1995

FERRIS K NATE  
115 VALLEY VIEW DR  
MONTPELLIER ID 83254

RE: CHANGE IN OWNERSHIP FOR A24-04068A AND A24-04067

Dear Mr. Nate:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson  
Adjudication Secretary

Enclosure: Notice of Claim

MICROFILMED  
NOV 07 1990

04068B  
Instrument No. 47157

Dated 11-28-32  
Amount

- (1) The United States of America.  
(2) A. Leslie Nate

DESCRIPTION

Twp. 10 S. R. 45 E.B.M.

Sec. 1: Lots 1 & 2,  
S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$

400 acres  
more or less.

CONDITIONS OR SPECIAL PRIVILEGES

Subj to water rights for mining, Agricultural, Manufacturing, or other purposes- rights of ditches reservoirs. Excepting and reserving, to U.S. all coal and other minerals in the lands -right to prospect for mine-

NAMES

ACKNOWLEDGEMENT none  
WITNESSES

RECORDED: Book 5 of Pat Page 317  
RECORDING DATE: 11-20-61 at 10:48 A.M.

ABSTRACT NO.  
TITLE INSURANCE ORDER NO.

Patent

Abstract from

Sec 14: W $\frac{1}{2}$ NW $\frac{1}{4}$ ;

RR

350

3

34

No

4

rs:

MIC

# AFFIDAVIT

This affidavit is made for the purpose of establishing the usage of water from the year of 1913 on Idaho Department of Water Resources Priority No. A24-04068A, located in Sections 11 and 12, Township 10 South, Range 45 East of the Boise Meridian, Caribou County, Idaho.

I remember as a small boy of 6 years of age (this would have been about the year 1922) my father telling me that 10 years prior to this time, he had patented this property. He had run cattle since that time and used the water from the Crow Creek. A gentleman by the name of Humphreys had worked for him and helped to harvest the crops in the summer. They also ran cattle on the property using the Crow Creek as their water source. Our family has continually owned this property and used the water thereon for irrigation and stock water purposes since that time.

I also lease property adjoining this ground from the Leslie Nate Estate, Robert Nate, Personal Representative. Mr. Nate has previously submitted affidavits to your office concerning the ground and water useage, signed by a Harvey Kennington of Fairview, Wyoming. Mr. Kennington remembers the useage of the property in the very early 1900's as he is approximately 94 years old. We could provide another copy of his affidavit if necessary.

DATED: 06 February 1995

  
FERRIS K. NATE

MICROFILMED

NOV 01 1999

STATE OF IDAHO                    )  
                                      ) ss.  
COUNTY OF BEAR LAKE        )

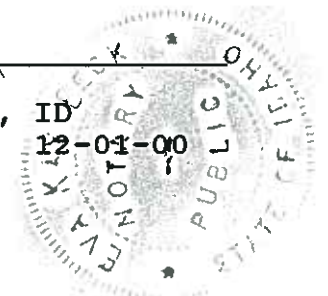
On this 29 day of February, 1995, before me, the under-  
signed, a notary public in and for said state, personally ap-  
peared

FERRIS K. NATE

known to me to be the person whose name is subscribed to the  
within instrument, and acknowledged to me that he executed the  
same.

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

  
\_\_\_\_\_  
Notary Public  
Residing at: Ovid, ID  
Comission Expires: 12-01-00



MICROFILMED  
NOV 07 1999