

RECEIVED

SEP 08 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

08/18/2006

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 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: September 22, 2006

Water right number: 79-7126B

MARTHA YVONNE JORDAN

HC 1 BOX 157

WHITE BIRD ID 83554

Telephone Number: (208)839-2662

HOWARD R JORDAN

HC 1 BOX 157

WHITE BIRD ID 83554

Telephone Number: (208)839-2662

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:

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

DATE: 9-5-06 SIGNATURE: Howard R. Jordan

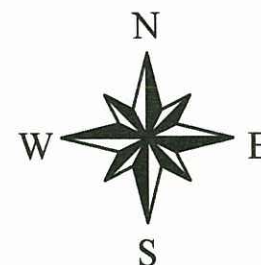
Please print your name: HOWARD RAY JORDAN

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

79-7126B

**T28N R01E
Section(s) 27**

⊙ Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: December 22, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources



0 500 1000 1500 2000 Feet

A scale bar with alternating black and white segments. The segments are labeled with the numbers 0, 500, 1000, 1500, and 2000, followed by the word 'Feet'.

12/22/2004

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

RIGHT NUMBER: 79-7126B

NAME AND ADDRESS: MARTHA YVONNE JORDAN
HC 1 BOX 157
WHITE BIRD ID 83554

HOWARD R JORDAN
HC 1 BOX 157
WHITE BIRD ID 83554

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.030 CFS
4.000 AFY

PRIORITY DATE: 04/05/1983

POINT OF DIVERSION:

T28N R01E S27 SWNE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.030 CFS 4.00 AFY

PLACE OF USE: IRRIGATION Within IDAHO County

T28N R01E S27 Lot 5 SWNE 1.0

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.

EXPLANATORY MATERIAL: License

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 79-7126B
Date Received: 5/25/1988
Receipt No: X999999
Received By:

COPY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARTHA YVONNE JORDAN Phone: (208)839-2662
HC 1 BOX 157
WHITE BIRD ID 83554

HOWARD R JORDAN Phone: (208)839-2662
HC 1 BOX 157
WHITE BIRD ID 83554

2. Date of Priority: 04/05/1983

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
28N	01E	27	SW NE 5	IDAHO	

5. Description of diverting works:

7 1/2 HP PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.03	4

7. Total Quantity Appropriated is:
0.03 C.F.S. and/or 4 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
28N	01E	27	SW	NE	5	IRRIGATION	1
Section Acres							1
Total Acres							1

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Ownership change from Paul to Jordan processed 5-24-2004. CLF

The issuance of this right does not grant any right-of-way or easement across the land of another.

This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

CLAIM AMENDED PER LICENSE, APPROVED 10/27/1992.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A79-07126
FEE PAID UNDER RECEIPT NO. C000894.
RDH 11/14/96.

15. Basis of Claim: License

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 24, 2004

HOWARD AND MARTHA JORDAN
HC 1 BOX 157
WHITE BIRD ID 83554

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #79-7126B

Dear Claimants:

We have processed the change in ownership of the Notice of Claim to a Water Right referenced above for your property in Nez Perce County.

Enclosed is a copy of this water right claim. Please retain this copy for your file, and refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Copy of Notice of Claim Referenced Above

No V

RECEIVED

MAY 14 2004

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

Department of Water Resources

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, 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
	79-7126	B			

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) are 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)

James + Joyce Paul

HC 1 Box 157

4. New Owner/Claimant(s)

Whitebird Idaho 83554

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

New Mailing Address

Howard R. + Martha Yvonne Jordan

City, State and ZIP Code

HC 1 Box 157 Whitebird, Idaho 83554

New Telephone Number

(208)-839-2662

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

Howard R. Jordan
Martha Yvonne Jordan

SCANNED

D.E. Complete 5-24-04

MAY 14 2004

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.



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

05/11/2004

WATER RIGHT NO. 79-7126B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES L PAUL
Current Owner	JOYCE M PAUL
	PO BOX 152
	WHITE BIRD, ID 83554
Original Owner	DARRELL BENTZ
Original Owner	RUSSELL BENTZ
Original Owner	HOWARD M PILANT
	PO BOX 183
	WHITE BIRD, ID 83554

Priority Date: 04/05/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.03 CFS	4 AFA
Total Diversion			0.03 CFS	

Location of Point(s) of Diversion:

SALMON RIVER|SWNE Lt 5|Sec. 27|Township 28N|Range 01E|IDAHO County

SCANNED

MAY 14 2004

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

SCANNED

MAY 14 2004

Place(s) of use:

Place of Use Legal Description: IRRIGATION IDAHO County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
28N	01E	27	5	SWNE	1									

Total Acres: 1

Conditions of Approval:

1. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
2. R51 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Remarks:

1. General CLAIM AMENDED PER LICENSE, APPROVED 10/27/1992. THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A79-07126 FEE PAID UNDER RECEIPT NO. C000894. RDH 11/14/96.

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

SCANNED

MAY 14 2004

RECEIVED

MAY 14 2004

Department of Water Resources

434858

WARRANTY DEED

For good and valuable consideration JAMES L. PAUL and JOYCE M. PAUL, husband and wife, as GRANTORS, do hereby grant and convey unto HOWARD R. JORDAN and MARTHA YVONNE JORDAN, husband and wife, whose address is: HC 2 Box 555, Pollock, ID 83547, as GRANTEES, the following described real property situate in Idaho County, State of Idaho, to wit:

SEE EXHIBIT "A" ATTACHED
HERETO AND INCORPORATED HEREIN
BY REFERENCE.

SUBJECT TO:

1. Taxes for 2004 which are an accruing lien and not yet due and payable; and
2. Easement, including the terms and conditions thereof, by and between R.V. Remington, E.I. Remington, Maude Calkins and C. May Hill, Grantors, and Pacific Telephone & Telegraph Co., a corporation, recorded February 11, 1931, under Instrument No. 94937, Book 59, page 214; and
 - a. Assigned to Pacific Northwest Bell Telephone Company, by Instrument recorded in Book 109, Page 178, on September 30, 1968; and
 - b. Further assigned to Citizens Telecommunications Company of Idaho, a Delaware corporation, by Quitclaim Deed, recorded March 15, 1994, under Instrument No. 373279,

all being records of Idaho County, State of Idaho.

TO HAVE AND HOLD the premises, with all appurtenances, to GRANTEES, and their heirs, successors and assigns forever. GRANTORS do hereby covenant that GRANTORS are the owners of said property in fee simple, that the premises is free from encumbrances except as set forth herein-above, and that GRANTORS will defend the same from all lawful claims except general taxes for the year 2004 and the above-stated encumbrances, and interests of record or in use.

WARRANTY DEED - 1 of 2

SCANNED

MAY 14 2004

STATE of IDAHO	
County of Idaho	
Recorded at request of _____	
IDAHO COUNTY TITLE CO.	
at	11:55A m on 4-14-04
ROSE E. GEHRING	
By	Deputy
Fees \$	69.00

m/pu

Except as otherwise expressly provided in this instrument, GRANTORS hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event GRANTORS shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of GRANTORS, it was not the intent of GRANTORS, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

DATED this 16 day of April, 2004.

GRANTORS:

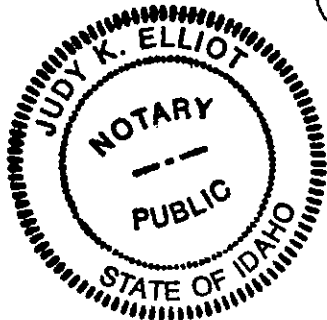
James L. Paul
JAMES L. PAUL

Joyce M. Paul
JOYCE M. PAUL

STATE OF IDAHO)
 : ss.
County Of Idaho)

On this 16th day of April, 2004, before me personally appeared JAMES L. PAUL and JOYCE M. PAUL, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year first written above.



Judy K. Elliot
Notary Public, in and for the
State of Idaho, residing at
Grangeville, therein.
My Commission Expires: 3.26.10

EXHIBIT "A"
Paul/Jordan Property Description

File No. 17577

SCHEDULE C

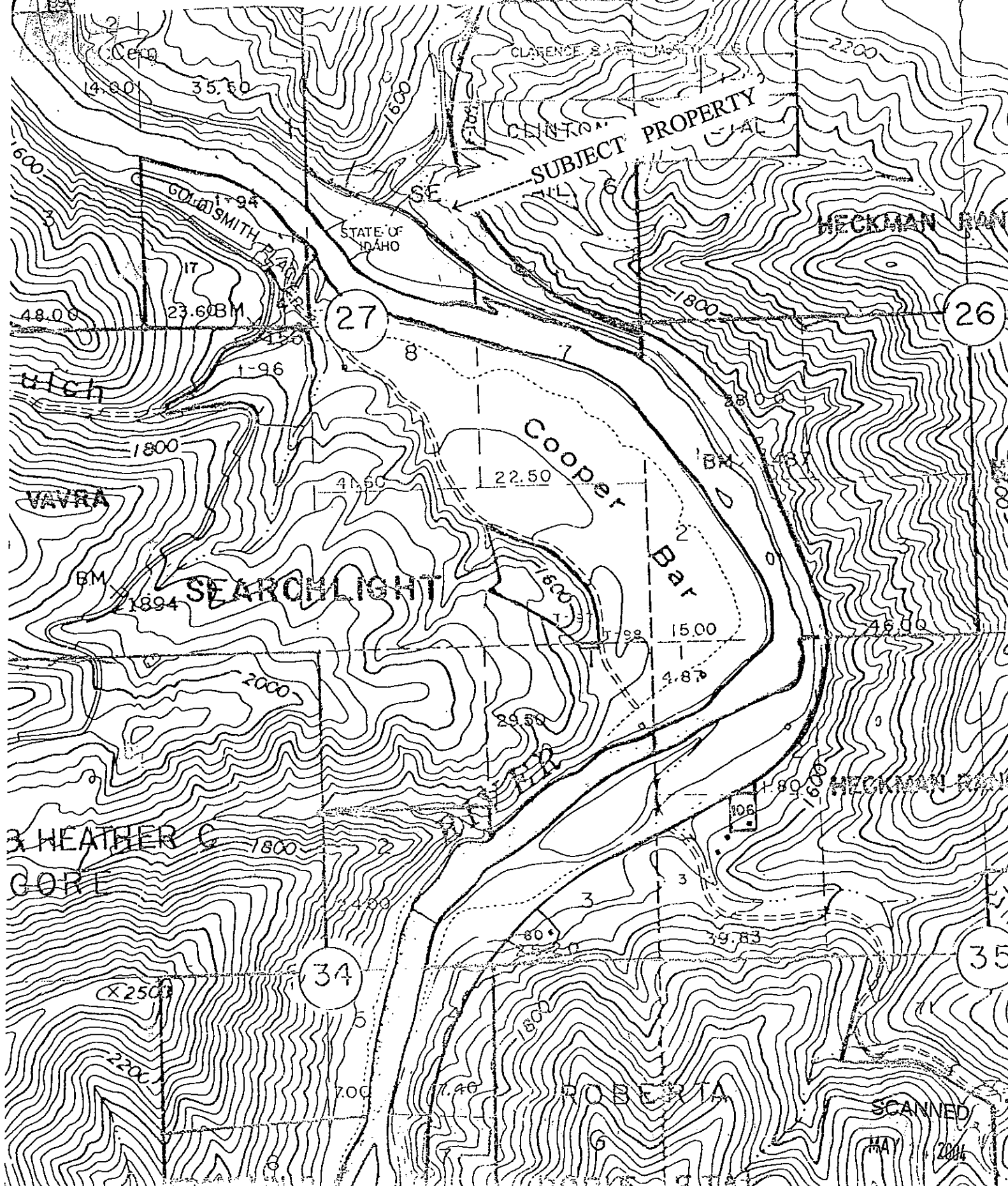
Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 27: A parcel of land situated in Government Lot 5, more particularly described as follows:

Commencing at the East $\frac{1}{4}$ corner of said Section 27, a brass cap monument;
thence N $64^{\circ}14'12''$ W, 1536.30 feet to monument for Westerly 150 foot R.O.W. of U.S. 95 sta 387+09.09 the TRUE POINT OF BEGINNING;
thence S $59^{\circ}52'11''$ W, 61.52 feet to 60 foot R.O.W. monument on Northerly R.O.W. of Old U.S. 95, which is now a county road;
thence N $47^{\circ}19'00''$ W, on said Northerly R.O.W., 242.65 feet to a $\frac{5}{8}$ "x30" IR with plastic cap marked PLS 5165;
thence on a curve having a Δ of $09^{\circ}30'00''$, a R of 1205.92 feet, a T of 100.20 feet, a L of 199.95 feet, a ch bearing of N $52^{\circ}04'00''$ W, a ch distance of 199.72 feet to a $\frac{5}{8}$ "x30" IR with plastic cap marked PLS 5165;
thence N $56^{\circ}49'00''$ W, on said Northerly R.O.W., 102.87 feet to a 60 foot R.O.W. monument;
thence N $75^{\circ}46'30''$ E, leaving said R.O.W., 316.87 feet to R.O.W. monument 150.000 feet Westerly from centerline of U.S. 95;
thence on said 150 foot R.O.W. on a curve having a Δ of $13^{\circ}39'53''$, a R of 1787.02 feet, a T of 214.11 feet, a L of 426.20 feet, a chord bearing of S $23^{\circ}16'47''$ E, a chord distance of 425.19 feet to the TRUE POINT OF BEGINNING.

SCANNED

MAY 14 2004

THIS PLAT IS MADE SOLELY FOR THE PURPOSE
OF ASSISTING IN LOCATING THE LAND AND THE
COMPANY ASSUMES NO LIABILITY FOR VARIA-
TIONS, IF ANY, WITH AN ACTUAL SURVEY.

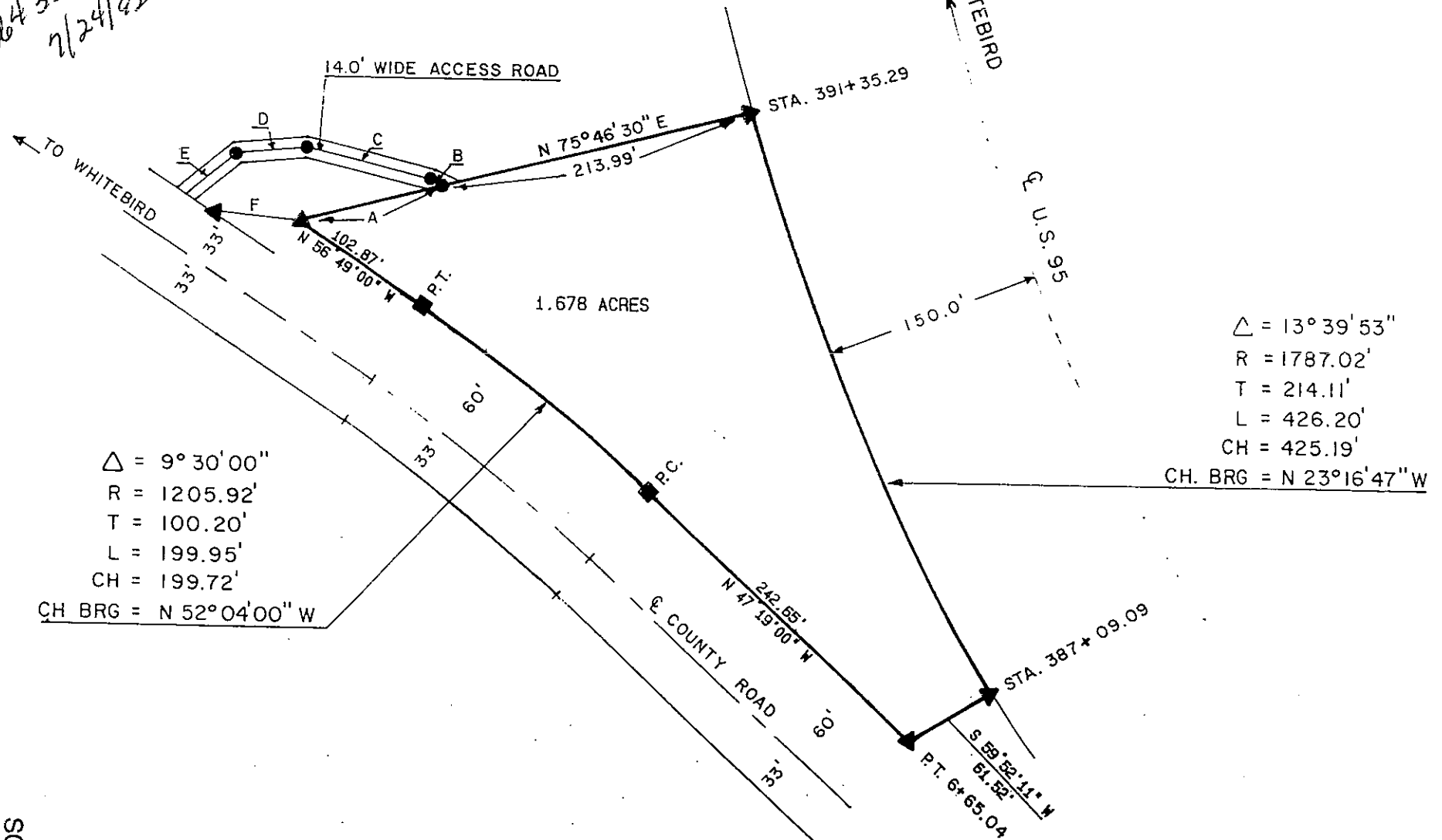


SCANNED
MAY 2004

SCALE 1"=100.0'

SCALE 1"=100.0'

5-162
364 338
7/24/92

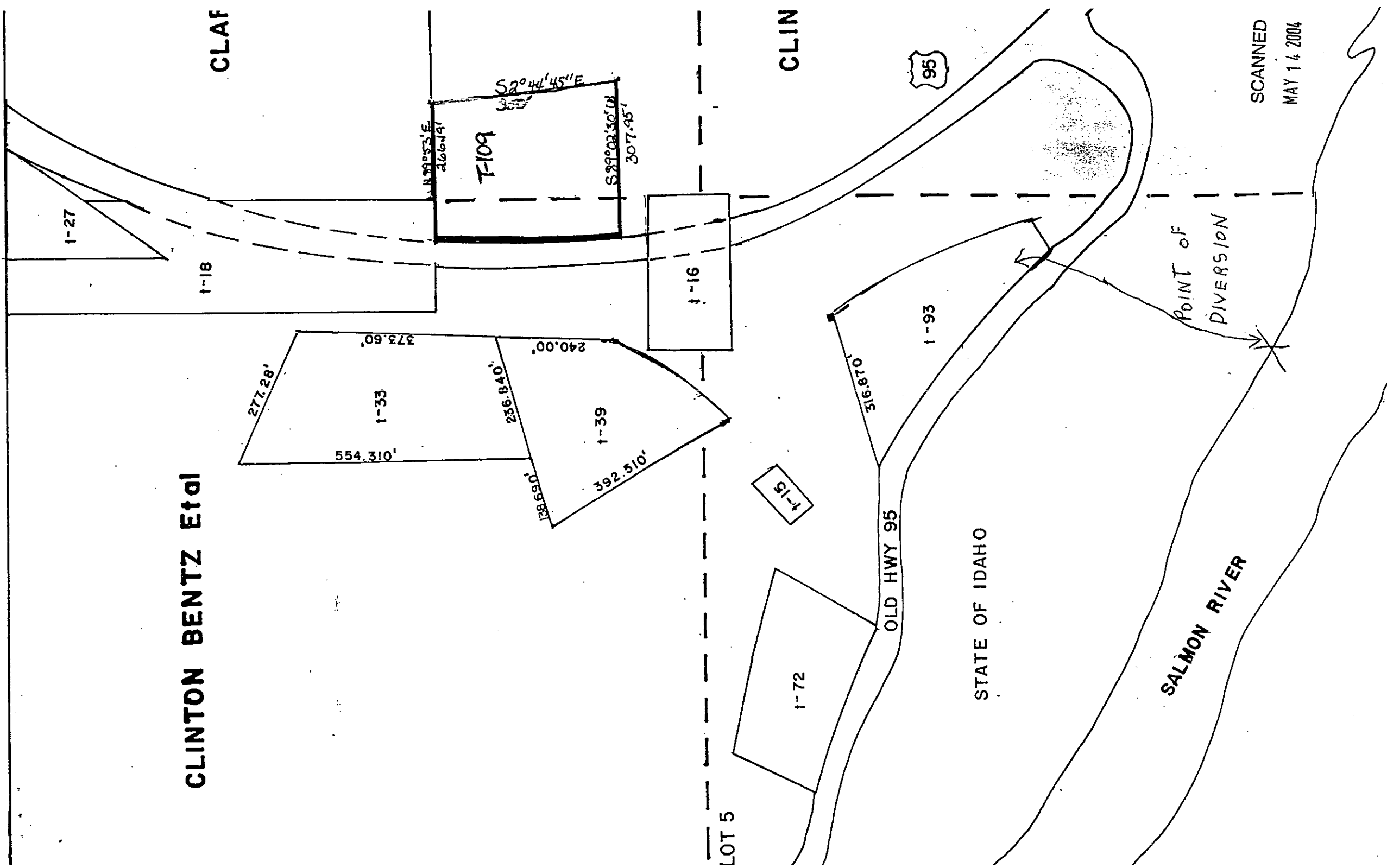


SCANNED
MAY 14 2004

CLINTON BENTZ ETAL

CLAF

CLIN



SCANNED
MAY 14 2004

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: **A79-07126B**
Date Received: 5/25/1988
Receipt No: X777777
Received By: _____

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

1. Name: JAMES L PAUL
Address: PO BOX 152
WHITEBIRD ID 83554

AND

Name: JOYCE M PAUL
Address: PO BOX 152
WHITEBIRD ID 83554

2. Date of Priority: APR 5, 1983

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	27	SW	NE		5	IDAHO

5. Description of diverting works:
71/2 HP PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		4.00

7. Total Quantity Appropriated is:
0.030 C.F.S. (and/or) 4.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	27	SW	NE	5	IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					Total Acres	1.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED PER LICENSE, APPROVED 10/27/1992.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. A79-07126 FEE PAID UNDER RECEIPT NO. C000894.
RDH 11/14/96.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

11/14/96 13:58:59
Page 1

Water Right Number - A79-07126 **B**

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

X777777

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - +

O *** C / CURRENT OWNER ***
PILANT

HOWARD M

1 - PO BOX 183

2 -

3 -

City- WHITEBIRD

State- ID Zip- 83554

Phone - 208-000-0000

BENTZ

RUSSELL

1 - PO BOX 183

2 -

3 -

City- WHITEBIRD

State- ID Zip- 83554

Phone - 208-000-0000

BENTZ

DARRELL

1 - PO BOX 183

2 -

3 -

City- WHITEBIRD

State- ID Zip- 83554

Phone - 208-000-0000

+ - - Priority Date - - +
04/05/1983

+ - - Region - - - +
14 WESTERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - +
SALMON RIVER

+ - - Tributary - - - - +
SNAKE RIVER

+ - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot RFlg County

28N 01E 27 SW NE 5 (49) IDAHO

+ - - Water Use - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

0.150
.03 CFS **20.00** **4 AFA**

+ - Total Div. Rate - + + - Total Div. Volume - +

0.150

20.00

+ - Total Consumptive Use - + + - KW Usage - +
0.0

+ - - Place of Use - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

28N

01E

27

NW NE

5

1.0

01

IRRIGATION

(49) IDAHO

28N

01E

27

SW NE

5

1.0

01

IRRIGATION

(49) IDAHO

28N

01E

27

SE NE

6

1.0

01

IRRIGATION

(49) IDAHO

Total Acres:

5.0

+ - - Diversion Means - 71/2 HP PUMP AND PIPELINE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

$$\frac{0.15}{5} \times \frac{X}{1} = .03 \text{ CFS}$$

$$\frac{20}{5} \times \frac{X}{1} = 4 \text{ AFA}$$

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM
NO. _____ FEE PAID UNDER RECEIPT NO. _____
RDH / / .

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

11/14/96 13:59:00
Page 2

Water right number - A79-07126

B

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - - +

GEN CLAIM AMENDED PER LICENSE, APPROVED 10/27/1992.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

A79-07126

+ - - - - Conditions of Approval - - - - - +

- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.
- R51 - This right when combined with all other rights shall provide no
- more than .03 cfs per acre nor more than 4.0 afa per acre for the
- lands above.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

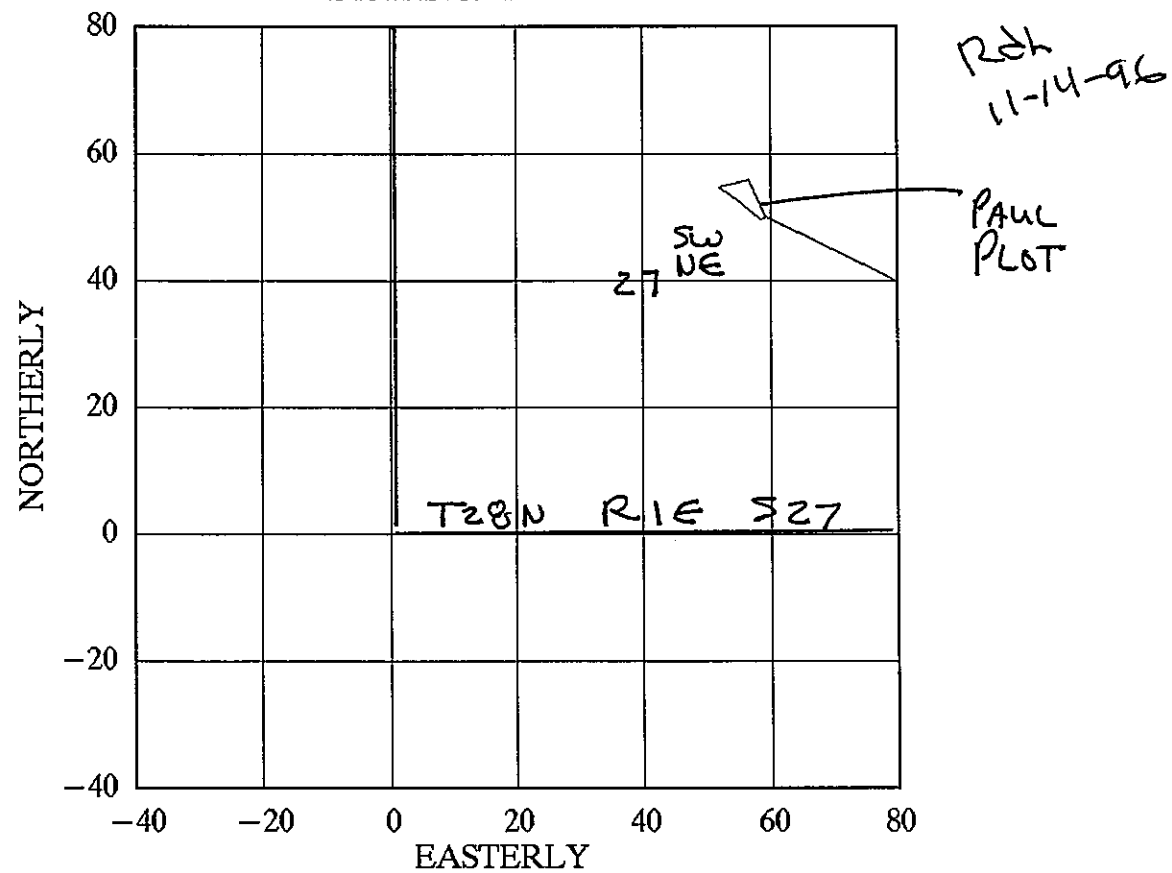
+ - - Audit Fields - - +

11/14/96 RHOWERTO

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 07/19/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/25/1988	Last Amended Date	- 11/14/1996	Temporary Right	- P
		Receipt Number	- C000894	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS





NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

AUG 29 1994

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: FEB 92

LEGAL DESCRIPTION OF PROPERTY: Township 28N Range 1E
 Section 27 1/4 of SW 1/4 of NE 1/4 Govt. Lot 5, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

- ☐ 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: A79-~~072~~ 07126
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Pilant/Bentz/Bentz
- ☐ New Owner/Claimant (Purchaser): JAMES L. PAUL AND JOYCE M. PAUL
- ☐ New Mailing Address: P.O. Box 152
WHITE BIRD, Idaho 83554
- ☐ New Telephone Number: () N/A
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
1 acre of Irrigation under above right in lot 5 (SWNE)
Sec 27.
- ☐ Attach proof of ownership, describe proof attached: SEE ATTACHED WARRANTY DEED
 (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) James L Paul Date 8/19/94
Joyce M Paul Date 8/19/94
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
 _____ 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:

DEPARTMENT OF WATER RESOURCES
 WESTERN REGION
 2735 AIRPORT WAY
 BOISE, ID 83705-5082

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

362093

RECEIVED

AUG 29 1994

WATER RESOURCES
WESTERN REGION

FILED
AUG 29 1994
FBI
ALBUQUERQUE

WARRANTY DEED

THIS INDENTURE, made on this 20 day of AUGUST, 1992, by and between DARELL BENTZ, also known as, DARRELL BENTZ, joined by his wife, BONNIE BENTZ, and CLINTON BENTZ, also known as, RUSTY BENTZ, joined by his wife, Darrell BENTZ, of Lewiston, Idaho 83501, hereinafter referred to as the Grantors, and JAMES L. PAUL and JOYCE M. PAUL, husband and wife, of P. O. Box 114, White Bird, Idaho 83554, hereinafter referred to as the Grantees.

WITNESSETH:

That, the said Grantors, for and in consideration of the sum of Ten Dollars (\$10), lawful money of the United States of America, and other good and valuable considerations to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents do grant, bargain, sell, convey and confirm unto the said Grantees, their heirs and assigns forever, all the following described real property situate in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the said Grantors.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns forever.

And the said Grantors, for themselves, their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said Grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents they were well seized of the premises above conveyed as of good, sure, perfect, absolute and indefeasible estate of inheritance, in fee simple, and

WARRANTY DEED

have good right, full power and lawful authority to grant, bargain, sell and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments and encumbrances of whatever kind or nature whatsoever, EXCEPT:

(a) Easement, including the terms and conditions thereof, by and between R. V. REMINGTON, E. I. REMINGTON, MAUDE CALKINS and C. MAY HILL, Grantors, and PACIFIC TELEPHONE & TELEGRAPH CO., a corporation, recorded February 11, 1931, under Instrument No. 94937, Book 59, page 214, records of Idaho County, Idaho.

Said Easement was assigned to PACIFIC NORTHWEST BELL TELEPHONE COMPANY, by Instrument recorded in Book 109, page 178, on September 30, 1968, records of Idaho County, Idaho.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantors will and shall WARRANT AND FOREVER DEFEND.

That, this deed is given by Grantors to Grantees, not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantees to Grantors.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

Darrell Bentz
DARRELL BENTZ, a/k/a
DARRELL BENTZ

Bonnie Bentz
BONNIE BENTZ

Clinton Bentz
CLINTON BENTZ, a/k/a
RUSTY BENTZ

Rosealyn Bentz
ROSEALYN BENTZ

Filed and recorded at the request of Rosealyn Bentz BENTZ
at 3:45 o'clock P M this 31st day of Jan, 1982 IDAHO COUNTY TITLE CO.

By Rosealyn Bentz
Deputy

ROSE E. GIERING

Ex-Officio Auditor and Recorder
Idaho County, Idaho

Fee \$ 15.00

RECEIVED

AUG 29 1994

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)

SS

County of Nez Perce)

On this 21 day of January, 1992, before me, a Notary Public, in and for said County and State, personally appeared DARELL BENTZ, also known as, DARRELL BENTZ, and BONNIE BENTZ, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and they acknowledged to me that they freely executed the same.

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

(NOTARY SEAL)

[Signature]
Notary Public for the State of Idaho,
Residing at Lewiston, Idaho, therein.
My Commission expires 5/24/94

STATE OF IDAHO)

SS

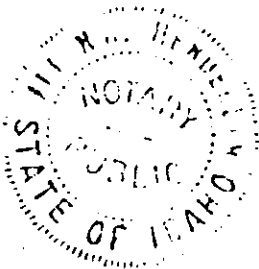
County of Nez Perce)

On this 21 day of January, 1992, before me, a Notary Public, in and for said County and State, personally appeared CLINTON BENTZ, also known as, RUSTY BENTZ, and Rosalyn BENTZ, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and they acknowledged to me that they freely executed the same.

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

(NOTARY SEAL)

[Signature]
Notary Public for the State of Idaho,
Residing at Lewiston, Idaho, therein.
My Commission expires 5/24/94



RECEIVED

AUG 29 1994

WATER RESOURCES
WESTERN REGION

EXHIBIT "A"

A parcel of land situated in Lot 5, Sec. 27, T28N, R1E, Boise Meridian, Idaho County, Idaho, which is more particularly described as follows:

Commencing at East $\frac{1}{4}$ corner of Section 27, a brass capped monument, thence N64°14'12"W, 1,536.30' to monument for Westerly 150' R.O.W. of U.S. 95 sta 387+09.09 THE TRUE POINT OF BEGINNING

Thence S59°52'11"W, 61.52' to 60' R.O.W. monument on Northerly R.O.W. of old U.S. 95, which is now a county road

Thence N47°19'00"W, on said Northerly R.O.W., 242.65' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence on a curve having a Δ of 9°30'00", a R of 1,205.92', a T of 100.20', a L of 199.95', a ch bearing of N52°04'00"W, a ch distance of 199.72' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N56°49'00"W, on said Northerly R.O.W., 102.87' to a 60' R.O.W. monument

Thence N75°46'30"E, leaving said R.O.W., 316.87' to R.O.W. monument 150.00' Westerly from centerline of U.S. 95

Thence on said 150' R.O.W. on a curve having a Δ of 13°39'53", a R of 1,787.02', a T of 214.11', a L of 426.20', a chord bearing of S23°16'47"E, a chord distance of 425.19' to THE TRUE POINT OF BEGINNING

This parcel contains 1.578 acres more or less.

TOGETHER WITH, an easement and right of way for access purposes across the below described parcel of real property. It is intended by the Grantors that the fee ownership shall be reserved in the Grantors, and only an access easement across said property is being granted herein. Said property is described as follows:

A 14.00' wide access road 7.00' on each side of centerline to provide access to 1.678 acre parcel situated in Lot 5, Section 27, T28N, R1E, Boise Meridian, Idaho County, Idaho, which is more particularly described as follows:

Commencing at East $\frac{1}{4}$ corner of Section 27, thence N62°11'22"W, 2,101.52' to monument for 60' Northerly R.O.W. of old U.S. 95, which is now a county road

Thence N75°46'30"E, on Northerly boundary of parcel, 102.89' to centerline of 14.00' access road THE POINT OF BEGINNING

Thence on said centerline, N66°16'54"W, 7.85'

N76°35'09"W, 89.06'

S84°23'09"W, 46.20'

S49°58'18"W, 44.27' to Northerly 33' R.O.W. of old U.S. 95

THE POINT OF ENDING

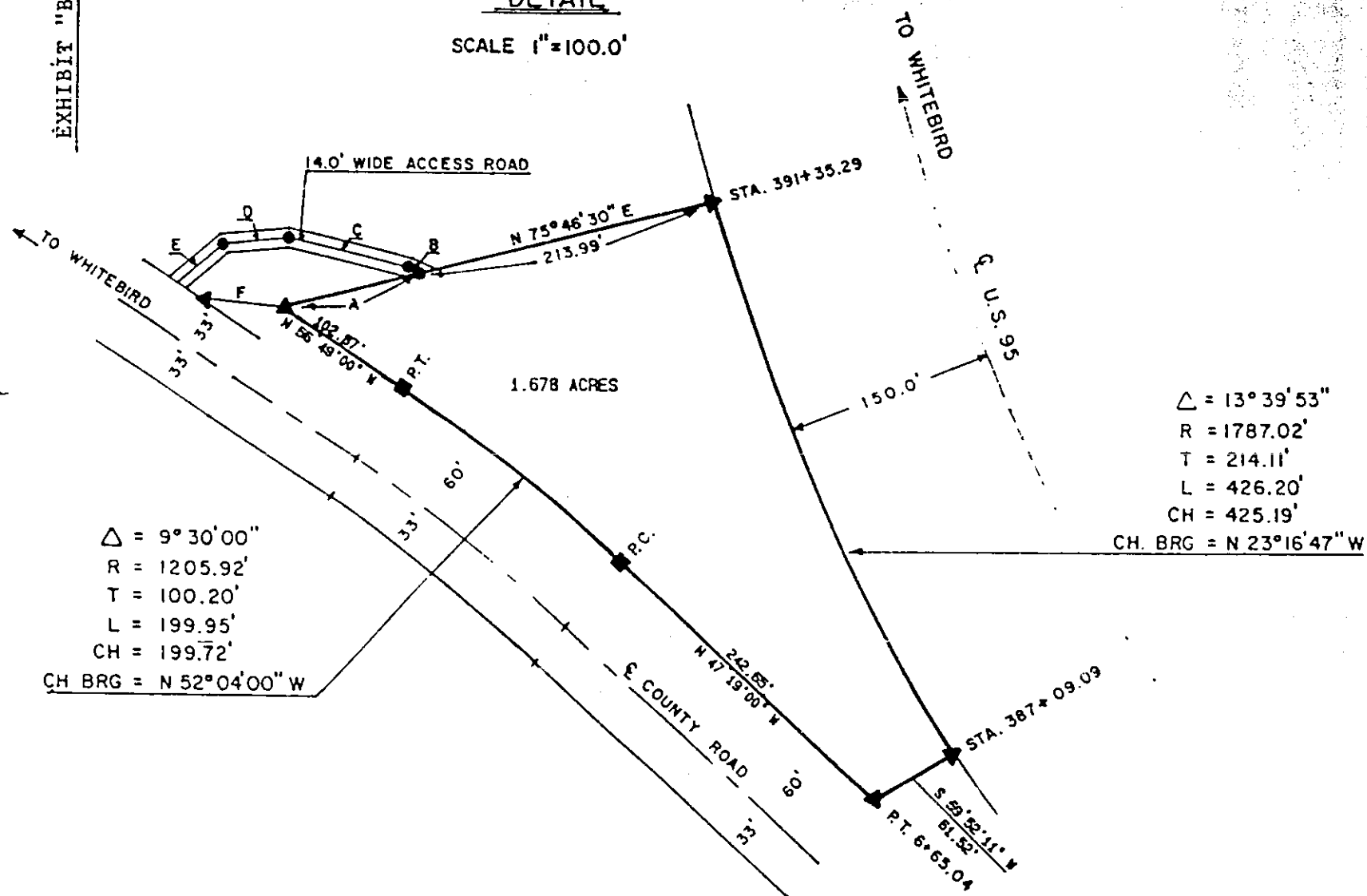
Area of access road 0.060 acres more or less.

That the property conveyed and the access easement are as shown in Exhibit "B" which follows:

EXHIBIT "B"

DETAIL

SCALE 1"=100.0'



RECEIVED

AUG 29 1994

WATER RESOURCES
WESTERN REGION

SCHEDULE C

8010

A parcel of land situated in Lot 5, Sec. 27, T28N, R1E, Boise Meridian, Idaho County, Idaho, which is more particularly described as follows:

Commencing at East $\frac{1}{4}$ corner of Section 27, a brass capped monument, thence N64°14'12"W, 1,536.30' to monument for Westerly 150' R.O.W. of U.S. 95 sta 387+09.09 THE TRUE POINT OF BEGINNING

Thence S59°52'11"W, 61.52' to 60' R.O.W. monument on Northerly R.O.W. of old U.S. 95, which is now a county road

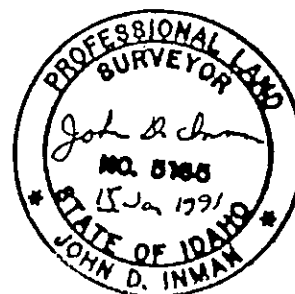
Thence N47°19'00"W, on said Northerly R.O.W., 242.65' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence on a curve having a Δ of 9°30'00", a R of 1,205.92', a T of 100.20', a L of 199.95', a ch bearing of N52°04'00"W, a ch distance of 199.72' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N56°49'00"W, on said Northerly R.O.W., 102.87' to a 60' R.O.W. monument

Thence N75°46'30"E, leaving said R.O.W., 316.87' to R.O.W. monument 150.00' Westerly from centerline of U.S. 95

Thence on said 150' R.O.W. on a curve having a Δ of 13°39'53", a R of 1,787.02', a T of 214.11', a L of 426.20', a chord bearing of S23°16'47"E, a chord distance of 425.19' to THE TRUE POINT OF BEGINNING



T. 28 N, R. 1 E, B.M.



Property

Lot 5 Sec 27

Lot 6 Sec 27

Ross Bentz
Take 20.09 ac.
Existing 5.51 ac.
Remainder 52.35 ac.
Total 186.52 ac.
Temp. Eas. 0.31 ac.

DRY GRAZE

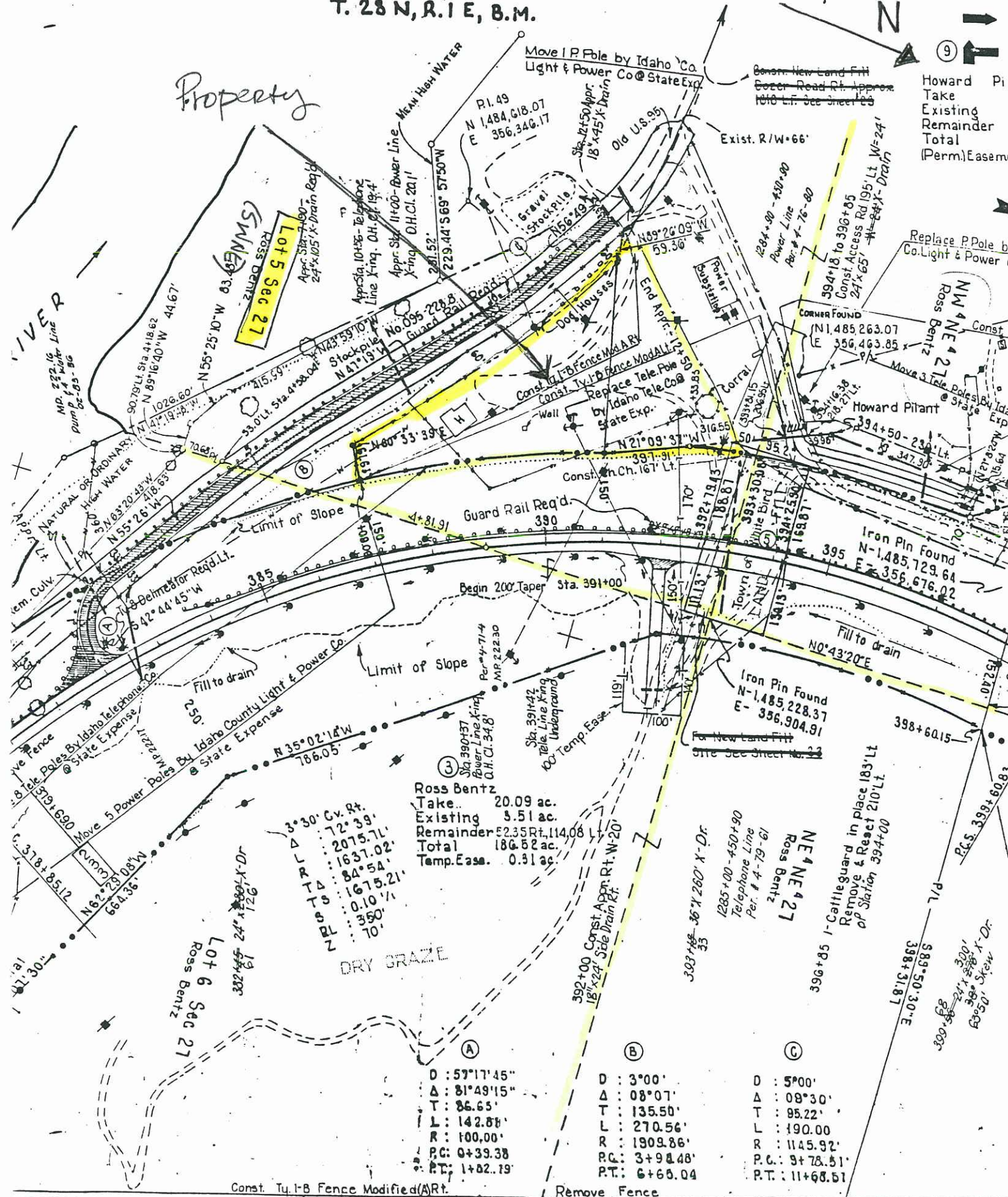
D : 57°17'45"
Δ : 81°49'15"
T : 86.65'
L : 142.88'
R : 100.00'
P.C. : 0+39.38
P.T. : 1+02.19'

D : 3°00'
Δ : 08°07'
T : 135.50'
L : 270.56'
R : 1909.86'
P.C. : 3+98.48'
P.T. : 6+60.04'

D : 5°00'
Δ : 08°30'
T : 85.22'
L : 190.00'
R : 1145.92'
P.C. : 9+78.51'
P.T. : 11+68.51'

Const. Tu. I-B Fence Modified (A) R.T.

Remove Fence



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: **A79-07126**
Date Received: 5/25/1988
Receipt No: C000894
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HOWARD M PILANT
Address: PO BOX 183
WHITEBIRD ID 83554

OR

Name: RUSSELL BENTZ
Address: PO BOX 183
WHITEBIRD ID 83554

OR

Name: DARRELL BENTZ
Address: PO BOX 183
WHITEBIRD ID 83554

2. Date of Priority: APR 5, 1983

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	27	SW	NE		5	IDAHO

5. Description of diverting works:
7 1/2 HP PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		20.00

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) 20.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
28N	01E	27	NW		NE		IRR	1.0
			SW		NE	5	IRR	3.0
			SE		NE	6	IRR	1.0
							Section Acres	5.0
							Total Acres	5.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED PER LICENSE, APPROVED 10/27/1992.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

State of Idaho
Department of Water Resources

NOV 28 1982

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07126

Department of Water Resources
Water Rights Division Office

Priority: April 5, 1983

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 20.0 AF

This is to certify, that HOWARD M PILANT
RUSSELL BENTZ
DARRELL BENTZ

PO BOX 183

WHITEBIRD ID 83554

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 5, 1983; and has submitted Proof of Beneficial Use on March 7, 1988. An examination indicates that the works have a diversion capacity of .160 cfs of water from:

SALMON RIVER tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.15 CFS	20.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 5(SWNE), Sec. 27, Township 28N, Range 01E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
28N	01E	27	NWNE 1	Lot 5(SWNE) 3	Lot 6(ENE) 1	5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07126

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 27TH day of OCTOBER, 1992.

Acting for R. Keith Higginson, Director

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: A79-07126

Date Received: 5/20/1988

Receipt No: C000894

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD M. PILANT
Address: P.O. BOX 183
WHITEBIRD, ID 83554

OR

Name: CLINTON BENTZ
Address: P.O. BOX 183
WHITEBIRD, ID 83554

OR

Name: DARRELL BENTZ
Address: P.O. BOX 183
WHITEBIRD, ID 83554

2. Date of Priority: APR 05, 1983

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
28N	01E	27	SW NE		IDAHO

5. Description of diverting works:
7 1/2 H.P. PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A79-07126

Page 1

Date: 08/01/88

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
28N	01E	27	NW	NE	IRR	3.0
			SW	NE	IRR	5.0
					Section Acres	8.0
					Total Acres	8.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39356

Ident. Number A 79-07126Date Received 5-20-88Receipt Number 48794C000894

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) HOWARD PILANT OR CLINTON BENTZ Phone () _____
OR DARRELL BENTZ
Mailing Address BOX 183 WHITE BIRD Zip 83554

2. Date of Priority (Only one (1) per claim) 4-5-83

3. Source of water supply (a) SALMON RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 28N Range 1E Section 27,
SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of IDAHO

Additional points of diversion if any: _____

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. 7 1/2 HP PUMP AND

PIPE LINE

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount 0-16 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.16 (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	
<u>28N</u>	<u>1E</u>	<u>27</u>		<u>3</u>	<u>5</u>														<u>8</u>

Total number of acres irrigated 8

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

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.

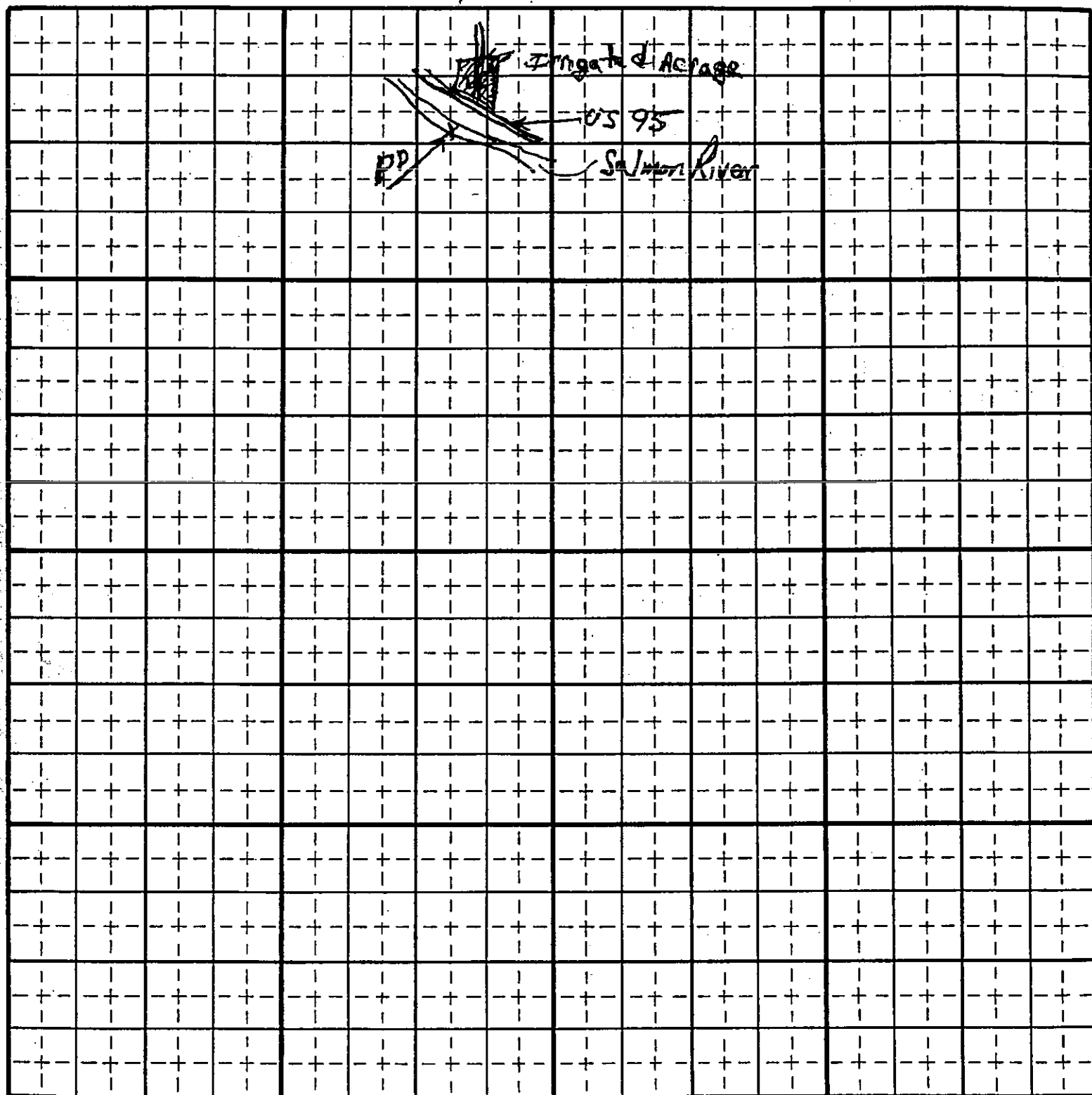
13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

Last Name Pilant or Bentz Ident No. A79-07126

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Pilant or Bentz Ident No. A79-07126 Cor

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

Decree _____

If applicable provide IDWR Water Right Number 79-7126

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) Howard Pilant Date 5/20/88

C.R. Bentz Date 5/20/88

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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 Idaho) SS.

Subscribed and sworn (or affirmed) before me this 20th day of May 19 88

SEAL

Notary Public Carter Fritschel

Residing at Eagle, Id

My Commission Expires 3-21-94

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 Pilant or Bentz Ident. Number A79-07126



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 15, 1996

PHILIP E. BATT
GOVERNOR

Re: Original Notice of Claim to a Water Right No. A79-07126

KARL J. DREHER
DIRECTOR

Renumbered Notice of Claim to a Water Right No. A79-07126B

JAMES L PAUL AND
JOYCE M PAUL
PO BOX 152
WHITEBIRD ID 83554

Dear James and Joyce,

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This change of ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Howerton'.

Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Attachment(s)

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER Larry Waters DATE SUBMITTED _____
ADJUDICATION AGENT _____ RESPONSE DUE DATE _____
COUNTY Idaho OWNER'S NAME P. Hunt & Bentz

PERMIT DATA	<u>T</u>	<u>R</u>	<u>S</u>	<u>Q/Q</u>	<u>T</u>	<u>R</u>	<u>S</u>	<u>Q/Q</u>
P/D	<u>28N</u>	<u>1E</u>	<u>27</u>	<u>SWNE</u>	_____	_____	_____	_____
P/U	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>	_____	_____	_____	_____

ADJUDICATION DATA RELATING TO THIS PERMIT NUMBER

A. Check Permit Number for Adjudication Claim Filing

- ☐ Claim required for permit but not filed
(examiner needs to notify permit holder during exam)
☐ Claim filed for permit and copy attached *
☐ Claim filed although not required (proof filed after 11-19-87).
☐ No claim filed or required.

B. Check Adjudication Claims Relating to the Permit Holder but are Different Claims (new number - different right)

- ☐ Name index search
☐ Non-data entry claims search
☐ Claim found but large system no exam required *

Claims found requiring exam	Date field exam conducted	Exam data is in, Permit file	Attached
<u>A79-07126</u> Adj No.	<u>7-19-90</u>	☒	☐
<u>A79-04021</u> Adj No.	<u>7-19-90</u>	☐	☒
_____ Adj No.	_____	☐	☐

* copies included only if pertinent to permit field exam

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~~OCT 08 1992~~

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(to be used in connection with B/U exams for same owners)

1. ☒ No Change NAME:
☐ NEW OWNER: _____
☐ No Change ADDRESS:
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE:
☐ Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION:
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, 1/4 1/4 1/4
- Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.
5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete desc., complete items missing, IF KNOWN.
☒ Additional comments in remarks.
HP of pump 1 Static water level 23 Well depth 191
Casing size 6" Pumping water level _____ Gravity flow _____
Method of irr. _____
6. ☒ No Change - WATER USES:
☐ Different uses, (list uses found).
- | | | | | |
|-----------|------------|----------|------------------|----------|
| Use _____ | From _____ | To _____ | Amount _____ cfs | _____ af |
| Use _____ | From _____ | To _____ | Amount _____ cfs | _____ af |
7. ☐ No Change - TOTAL VOLUME:
☒ Change found, The new total is, -- -- -- 0.08 cfs 2.4 af
8. N/A

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9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☒ Incomplete on claim - Exam found:

Domestic - No. of homes 3 Stockwater - No. of head 8

Other: _____

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

Remarks: (Comments pertinent to field examination)

domestic pump supplies water to 3 homes^(in house use only)
and stockwater for 8 horses. All of
the homes & horse are in Section 27
the NW 1/4 of NE 1/4. The area outlined
in the attached map is for irrigation
only.

ATTACHMENTS:

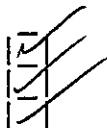
Attached to
This Form.

Attachments are
in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM



- ☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED:

7-19-90

FIELD EXAMINER:

Larry Waters

Signature

Larry J. Waters

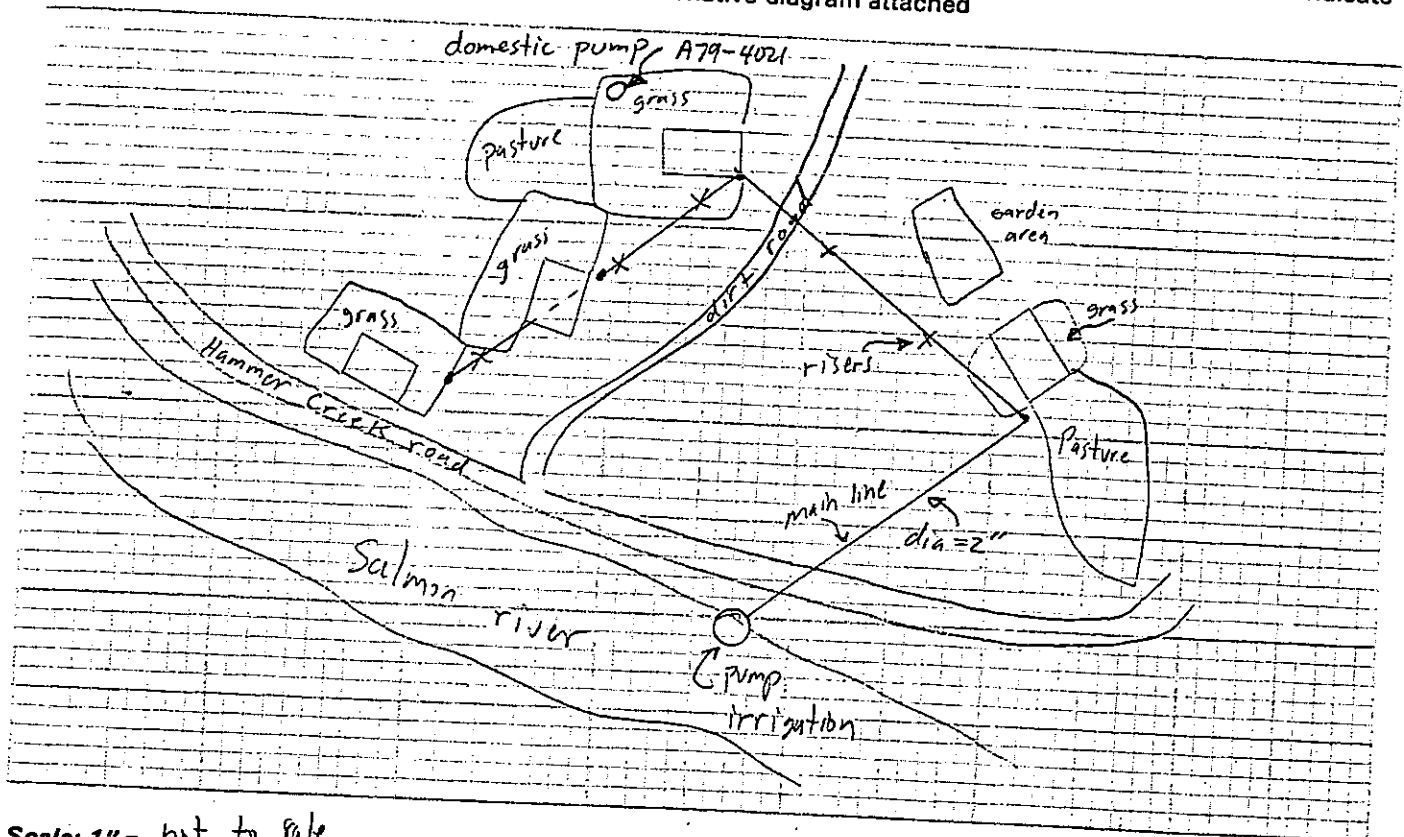
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A79-4021

SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = not to scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

~~FILED~~
OCT 06 1992

PERMIT A79-4021 INIT L.W.
T. R. S. Q/Q
P/D 28N 1E 27 SWNE
SCALE P-8

GRANGEVILLE 23 MI
WHITE BIRD 1.8 MI.

(WHITE BIRD)

White Bird
Cem

Whitebird
BM 1455

Point of
diversion
domestic
A79-4021

Place of
use
(not all irrigated)

Point of
diversion
irrigation
79-7126

Gulch

Sooty
2500

BM 1294

1487

RIVER

Creek

BM 1294

BM 1500

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DAIRY

A79-4021



Picture of domestic well
that feeds 3 Homes for
in house use only. Irrigation
is covered under 79-7126. Picture
taken looking west.

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