



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 11, 2005

DJS PROPERTIES LP
PO BOX 27
BOISE ID 83707

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #79-7159 and 79-7160

Dear Claimant:

We have processed your change in ownership of the Notices of Claim referenced above. Thank you for your patience.

Enclosed are copies of your Notices of Claim for your file. Please refer to these record numbers 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
Enclosures:

Copies of Notices of Claim Referenced Above

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

RECEIVED

JAN 07 2005

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>79-7159</u>	<u>79-7159</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>79-7160</u>	<u>79-7160</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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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**.

Please see the attached Warranty Deed and Bargain and Sale Deeds

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) Neal or Evelyn DeWitt
PO Box 217 WHITEBIRD ID 83554
4. New Owner/Claimant(s) DJS Properties L.P.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 27 Boise, ID
- City, State and ZIP Code Boise, ID 83707
- New Telephone Number (208) 336-2110
5. Date you acquired the property March 20, 1998

O.K. to change ownership
CF 1-10-05

SCANNED

JAN 10 2005

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

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

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

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) DJS Properties L.P. by Don J. Simplot its General Partner

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by Deanna AJ Date 1-11-05 WR _____ Date _____



No ✓

CORPORATE HEADQUARTERS

RECEIVED

January 4, 2005

JAN 07 2005

DEPARTMENT OF
WATER RESOURCES

Karilynn Townsend
State of Idaho
Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Re: IDWR License Nos. 79-7159 and 79-7160.

Dear Ms. Townsend:

At the request of and as an accommodation to DJS Properties Limited Partnership, I am enclosing a Notice of Change of Water Right ownership for the above referenced licenses. Enclosed with the Notice are copies of the following deeds:

1. Warranty Deed conveying the land described by the point of diversion and place of use under the above licenses from Neal S. and Evelyn R. De Witt to Don J. Simplot. This deed was recorded on June 19, 1996 in the official real property records of Idaho County as instrument no. 387366.
2. Two Bargain and Sale Deeds conveying the same land described in 1 above from Don J. Simplot to DJS Properties Limited Partnership. These deeds were both recorded on March 20, 1998 in the official real property records of Idaho County as instrument nos. 398839 and 398840.

Should you have any concerns about the enclosed Notice please contact me.

After updating your water right records, please return a copy of these licenses containing the current water right owner to my attention at the above address.

Thank you,

Vic Conrad
Land, Water & Asset Recovery

Enclosure

SCANNED

JAN 10 2005

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

RONALD N. GRAVES
P.O. BOX 27
BOISE, ID 83707

STATE of IDAHO	
County of Idaho	ss
Recorded at request of <u>J. R. Simplot</u>	
<u>Co.</u>	
at <u>15</u> minutes past <u>10</u> o'clock	<u>A</u> M.
this <u>20</u> day of <u>March</u> , 19 <u>99</u>	
ROSE E. GEHRING	
By <u>Cecil Spalden</u>	Recorder
Fees \$ <u>6.00</u>	Deputy

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INDEXED
TRACTED
FILMED
ADDITION

m/ P.O. Box 27, Boise 83707

398840

BARGAIN AND SALE DEED

FOR VALUE RECEIVED, **Don J. Simplot**, a married man dealing with his separate property, as Grantor, does hereby grant, bargain, sell and convey unto **DJS Properties L.P.**, an Idaho limited partnership, whose current address is 999 Main Street, Boise, Idaho 83702, as Grantee, all that certain real property located in Idaho County, Idaho and as more particularly described on **Exhibit A** attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument effective this 15th day of December, 1997.

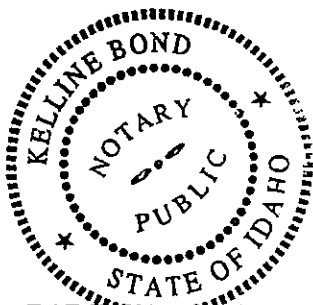
GRANTOR:

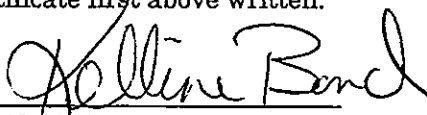

Don J. Simplot

STATE OF IDAHO)
) ss.
County of Ada)

On this 15th day of December, 1997, before me, the undersigned Notary Public in and for said State, personally appeared **Don J. Simplot**, known or identified 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 FOR IDAHO
Residing at Boise, Idaho
My Commission Expires: 10-13-98

BARGAIN AND SALE DEED - 1
Whitebird - 2.3041 acres

SCANNED
JAN 10 2005

EXHIBIT A

parcel of land situated in Lot 4 of Section 27, T28N, R1E, Boise Meridian, which is more particularly described as follows:

Commencing at C-W 1/16 corner of Section 27, a 5/8"X30" IR with plastic cap marked PLS 5165, which is southeast corner of Lot 4

Thence N89°43'42"E, on center section line, 889.83' to a 5/8"X30" IR with plastic cap marked PLS 5165. This is THE POINT OF BEGINNING

Thence N61°13'45"E, 169.45' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N02°31'18"W, 278.00' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S48°41'21"E, 158.31' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is intersection of Bracket Gulch Creek and access road to L.T.L. property

Thence N40°42'17"E, along Bracket Gulch Creek, 287.86' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is on east line of Lot 4

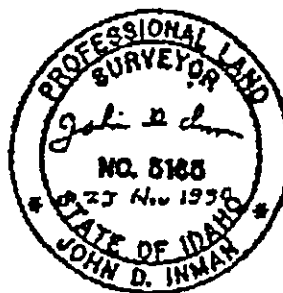
Thence S00°08'58"E, on east line of Lot 4, 352.74' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S52°19'31"E, 74.58' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S36°42'55"W, 91.22' to a 1/2"X24" IR with plastic cap marked PLS 5165. This point is on center section line

Thence S89°43'42"W, along center section line, 330.31' to THE POINT OF BEGINNING

This parcel contains 2.3041 acres more or less.



Whitebird (2 of 2)

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

RONALD N. GRAVES
P.O. BOX 27
BOISE, ID 83707

STATE of IDAHO	
County of Idaho	SS <u>J. R. Simplot</u>
Recorded at request of <u>Co.</u>	
at <u>15</u> minutes past <u>10</u> o'clock <u>A.</u> M.	
this <u>22</u> day of <u>March</u> , 19 <u>98</u>	
ROSE E. GEHRING	
By <u>Cassidy</u>	Recorder
Fees \$ <u>6.00</u>	Deputy

COMPUTER ☒
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TRACTED ☒
FILMED ☒
ASSESSOR ☒

M/Kelline Bond, J.R. Simplot Co.
P.O. Box 27, Boise 83707

398839

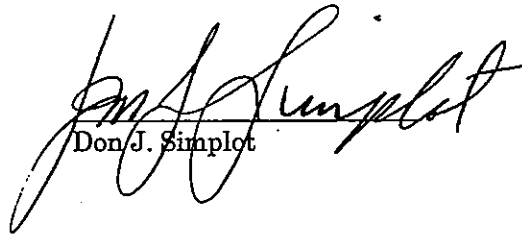
BARGAIN AND SALE DEED

FOR VALUE RECEIVED, **Don J. Simplot**, a married man dealing with his separate property, as Grantor, does hereby grant, bargain, sell and convey unto **DJS Properties L.P.**, an Idaho limited partnership, whose current address is 999 Main Street, Boise, Idaho 83702, as Grantee, all that certain real property located in **Idaho County, Idaho** and as more particularly described on **Exhibit A** attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument effective this 15th day of December, 1997.

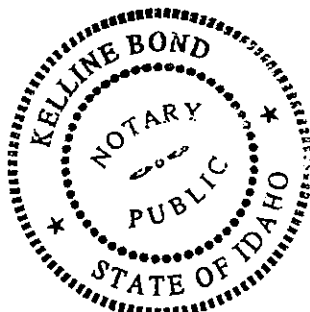
GRANTOR:

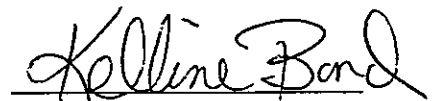

Don J. Simplot

STATE OF IDAHO)
) ss.
County of Ada)

On this 15th day of December, 1997, before me, the undersigned Notary Public in and for said State, personally appeared **Don J. Simplot**, known or identified 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 FOR IDAHO
Residing at Boise, Idaho
My Commission Expires: 10-13-98

BARGAIN AND SALE DEED - 1
Whitebird 15.5105 acres

SCANNED
JAN 10 2005

EXHIBIT A

A parcel of land situated in Lot 4 of Section 27, T28N, R1E, Boise Meridian, which is more particularly described as follows:

Commencing at C-W 1/16 corner of Section 27, a 5/8"X30" IR with plastic cap marked PLS 5165, which is southeast corner of Lot 4

Thence N00°06'21"W, on line between Lots 3 and 4, 730.00' to a 5/8"X30" IR with plastic cap marked PLS 5165. This is THE POINT OF BEGINNING

Thence N00°06'21"W, on line between Lots 3 and 4, 636.36' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is on the southerly high water line of the Salmon River

Thence S64°23'31"E, along the southerly high water line of the Salmon River, 897.58' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S50°08'41"E, along the southerly high water line of the Salmon River, 636.61' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence S27°20'39"E, along the southerly high water line of the Salmon River, 80.80' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is on the east line of Lot 4, which is identical to the center section line of Section 27

Thence S00°08'58"E, on the east line of Lot 4, 21.44' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is in center of creek called Bracket Gulch Creek

Thence S40°42'17"W, up Bracket Gulch Creek, 287.86' to a 5/8"X30" IR with plastic cap marked PLS 5165, which is on centerline of access road to L.T.L. property

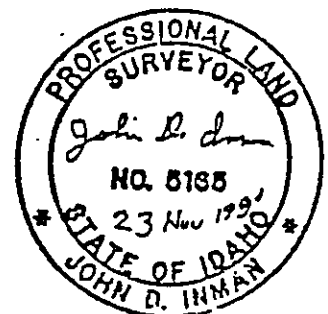
Thence N48°41'21"W, 158.31' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N70°06'18"W, 1,000.00' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N73°16'18"W, 91.00' to THE POINT OF BEGINNING.

Whitebird (1 of 2)

This parcel contains 15.5105 acres more or less.



SCANNED

JAN 10 2005

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ASSESSOR 1 1

387366

WARRANTY DEED

GRANTOR, NEAL S. DeWITT and EVELYN R. DeWITT, husband and wife, of HC01 Box 162, White Bird, ID 83554, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto DON J. SIMPLOT, a married man dealing with his sole and separate property, of P. O. Box 27, Boise, ID 83707, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

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

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

Subject to:

1. General taxes for the year 1996, which are a lien, not yet due and payable.
2. Road Easement and Right of Way, dated April 27, 1990, by and between NEAL DeWITT and EVELYN R. DeWITT, husband and wife, and LT&L, INC., an Idaho corporation, including terms and conditions thereof, recorded April 30, 1990, as Instrument No. 352869, records of Idaho County, Idaho.
3. Easement Agreement, dated June 14, 1991, by and between NEAL S. DeWITT and EVELYN R. DeWITT, husband and wife, and DON J. SIMPLOT, a married man dealing with his sole and separate property, including terms and conditions thereof, recorded June 24, 1991, as Instrument No. 358776, records of Idaho County, Idaho.
4. Easement Agreement, dated June 14, 1991, by and between DON J. SIMPLOT, a married man dealing with his sole and separate property and NEAL S. DeWITT and EVELYN R. DeWITT, husband and wife, including terms and

1 conditions thereof, recorded June 24, 1991, as
2 Instrument No. 358777, records of Idaho
County, Idaho.

3 TO HAVE AND TO HOLD the said premises, with their
4 appurtenances, unto the said Grantees, their heirs and assigns
5 forever. And the Said Grantors do hereby covenant to and with the
6 said Grantees that they are the owners in fee simple of said
7 premises; that they are free from all encumbrances, and that they
8 will warrant and defend the same from all lawful claims whatsoever,
9 except general taxes for the year 1996, and easements,
10 reservations, restrictions and rights-of-way of record or in use.

11 In construing this deed, and where the context so requires,
12 the singular includes the plural and the masculine, the feminine
13 and the neuter.

14 IN WITNESS WHEREOF, Grantors have hereunto subscribed their
15 names to this instrument this 19 day of June, 1996.

16
17 Neal S. DeWitt
18 NEAL S. DeWITT

Evelyn R. DeWitt
EVELYN R. DeWITT

19 STATE OF IDAHO)
20 ss.
County of Idaho)

21 On this 19 day of June, 1996, before me,
22 Nancy Thompson, a Notary for the said County and
23 State, personally appeared NEAL S. DeWITT and EVELYN R. DeWITT,
24 husband and wife, known or identified to me to be the persons whose
25 names are subscribed to the within instrument, and they
26 acknowledged to me that they freely executed the same and that the
27 statements therein contained are true.

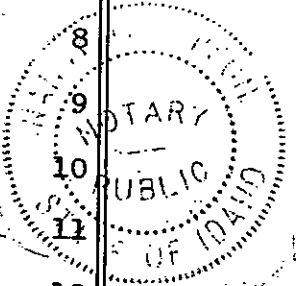
28 WARRANTY DEED

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

(NOTARY SEAL)

Nancy Thompson
Notary Public for State of Idaho,
Residing at *Shoshone* therein.
My commission expires on *2-21-97*



WARRANTY DEED

STATE of IDAHO	
County of Idaho	ss
Recorded at request of	
INLAND TITLE CO.	
at	45 minutes past 2 o'clock P. M.
this	19 day of June 19 96
ROSE E. GEHRING	
By	Edith L. Anderson Recorder
Fees	\$12.00 Deputy

EXHIBIT A

A parcel of land situated in Lot 4 of Section 27, T28N, R1E, Boise Meridian, which is more particularly described as follows:

Commencing at C-W 1/16 corner of Section 27, a 5/8"X30" IR with plastic cap marked PLS 5165, which is southeast corner of Lot 4

Thence N00°06'21"W, on line between Lots 3 and 4, 730.00' to a 5/8"X30" IR with plastic cap marked PLS 5165. This is THE POINT OF BEGINNING

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Thence N48°41'21"W, 158.31' to a 5/8"X30" IR with plastic cap marked PLS 5165

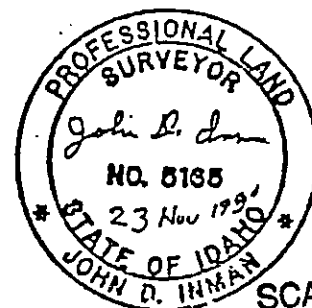
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Thence N73°16'18"W, 91.00' to THE POINT OF BEGINNING.

Whitebird (1 of 2)

This parcel contains 15.5105 acres more or less.

D. Simplot



SCANNED

JAN 10 2005

EXHIBIT A

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Thence N61°13'45"E, 169.45' to a 5/8"X30" IR with plastic cap marked PLS 5165

Thence N02°31'18"W, 278.00' to a 5/8"X30" IR with plastic cap marked PLS 5165

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This parcel contains 2.3041 acres more or less.



Whitebird (2 of 2)

D. Simplot

SCANNED
JAN 10 2005



State of Idaho
DEPARTMENT OF WATER RESOURCES
1118 F. St, Lewiston, Idaho 83501
Phone: (208) 743-0301 FAX: (208) 743-0415 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

December 23, 2004

KARL J. DREHER
Director

DJS PROPERTIES LP
PO BOX 27
BOISE ID 83707

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right # 79-7159 & 79-7160

Dear Sirs:

Idaho County tax lot information shows that you are the current owner of the property and water right referenced above. I have enclosed, for your information, a copy of the Licenses filed by a previous owner and an aerial photo with the irrigation place of use outlined in yellow. If you are in-fact the current owner of this property, you are required to submit the enclosed "Notice of Change of Water Right Ownership" form before we can change our records. This will allow the department and the SRBA Court to send important information and the partial decree for this water right to the current owner.

Because this claim is still pending in the SRBA, there is no fee to change the ownership at this time. Please send the form and proof of ownership to;

IDWR
PO BOX 83720
BOISE ID 83720-0098

If you have any questions regarding this matter, please do not hesitate to contact me at (208)743-0301.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory J. Taylor', is written over a horizontal line.

Gregory J. Taylor
Sr. Water Agent

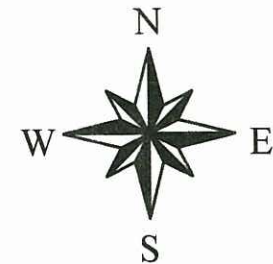
Enc: Copy of license #79-7159 & 79-7160; form 42-248/42-1409(6);

79-7159



T28N R01E
Section(s) 27

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: December 3, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources

0 300 600 900 1200 Feet

A scale bar with alternating black and white segments, corresponding to the 0, 300, 600, 900, and 1200-foot markings.

12/23/2004

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

RIGHT NUMBER: 79-7159
NAME AND ADDRESS: EVELYN DE WITT
PO BOX 217
WHITE BIRD ID 83554

NEAL DE WITT
PO BOX 217
WHITE BIRD ID 83554

SOURCE: BRACKET GULCH CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.040 CFS
8.000 AFY
PRIORITY DATE: 06/26/1985
POINT OF DIVERSION:

T28N R01E S27 NESW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.040 CFS 8.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE
NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS
RIGHT.

PLACE OF USE: IRRIGATION Within IDAHO County
T28N R01E S27 Lot 4 SENW 2.0

2 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: A79-07159
Date Received: 7/26/1988
Receipt No: W000670
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEAL DE WITT 208-839-2245
Address: P.O. BOX 217
WHITE BIRD, ID 83554

OR

Name: EVELYN DE WITT 208-839-2245
Address: P.O. BOX 217
WHITE BIRD, ID 83554

2. Date of Priority: JUN 04, 1985

3. Source: BRACKET GULCH Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
28N	01E	27	SE	NW		4	IDAHO

5. Description of diverting works:
HEADGATE & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.160		

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

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE LISTED

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
28N	01E	27	SE NW		IRR	8.0
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:
NONE

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

A79-07159

Date Received

7-26-88 RW

Receipt Number

48868 Hand rept.

W000670

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Neal & Evelyn DeWitt Phone (208) 839-2245
Mailing Address Box 217, White Bird Id Zip 83554

2. Date of Priority (Only one (1) per claim) 6-4-85

3. Source of water supply (a) Bruckner Gulch
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 28N Range 1east Section 27,
_____ 1/4 of SE 1/4 of NW 1/4, Govt. Lot, 4 B.M., County of Id

Additional points of diversion if any: none

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,

_____ 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. Headgate-Pipeline

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Copies: White State 1000w-Claimant
OCT 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from April 1 to Oct 31 amount .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) .16 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 24 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>28</u>	<u>1</u>	<u>27</u>	<u>Lot 4</u>							<u>2/8</u>									<u>8</u>

Total number of acres irrigated 8 over

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

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:

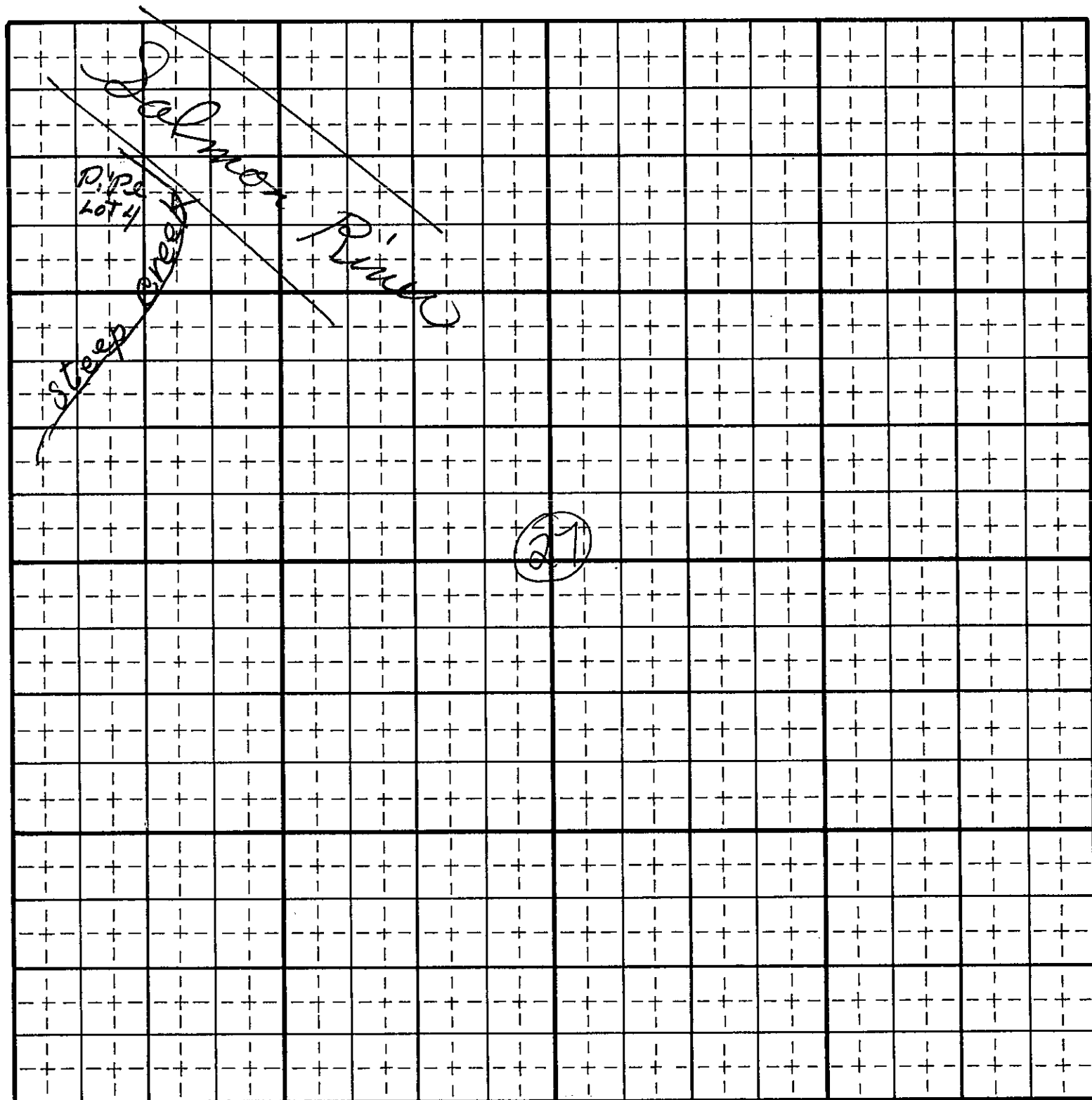
Last Name De Witt Ident No. A79-07159

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Copies White State 1992-Claimant
OCT 8 1992

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

Scale: 2 inches equals 1 mile



T.28N, R.1E, Sec.27

Last Name De Wit

Ident No. A79-07159

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Copies: White-State, Yellow-Claimant
OCT 06 1992

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

Decree _____

If applicable provide IDWR Water Right Number 79-7159

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) Evelyn DeWitt Date 7-26-88

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Id)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 26 day of July 19 88

SEAL

Notary Public John DeWitt

Residing at Boise ID

My Commission Expires 6/1/94

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 De Witt Ident. Number A79-07159

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Copies Made - 3-26-1992 Claimant

CONVERSATION MEMORANDUM

DATE 08/10/88

FILE _____

NAME OF PARTY DeWitt, Neal or EvelynEMPLOYEE Eldon L. RoushRE: Notice of Claim - Domestic

Claim lacked proper legal description of P.O.D. & P.O.U. Phoned claimant this date & was told to change $1/4, 1/4$ to SE, NW, for P.O.D. & P.O.U. Claimant also told this agent that the R.V. Park water use listed in Applic. for Permit & License is not to be included in claim (Notice of). This agent informed claimant that if R.V. Park use is not included in claim, it would not be a part of the decreed water right. Claimant stated he understood.

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OCT 06 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07159

Priority: June 26, 1985

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.04 CFS
8.0 AF

This is to certify, that NEAL DE WITT
EVELYN DE WITT

P.O. BOX 217

WHITE BIRD, ID 83554

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 4, 1985; and has submitted Proof of Beneficial Use on October 10, 1985. An examination indicates that the works have a diversion capacity of .040 cfs of water from:

BRACKET GULCH

tributary to SALMON 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	04/01 to 10/31	0.04 CFS	8.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW, 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	LOT 4(SENW) 2			2

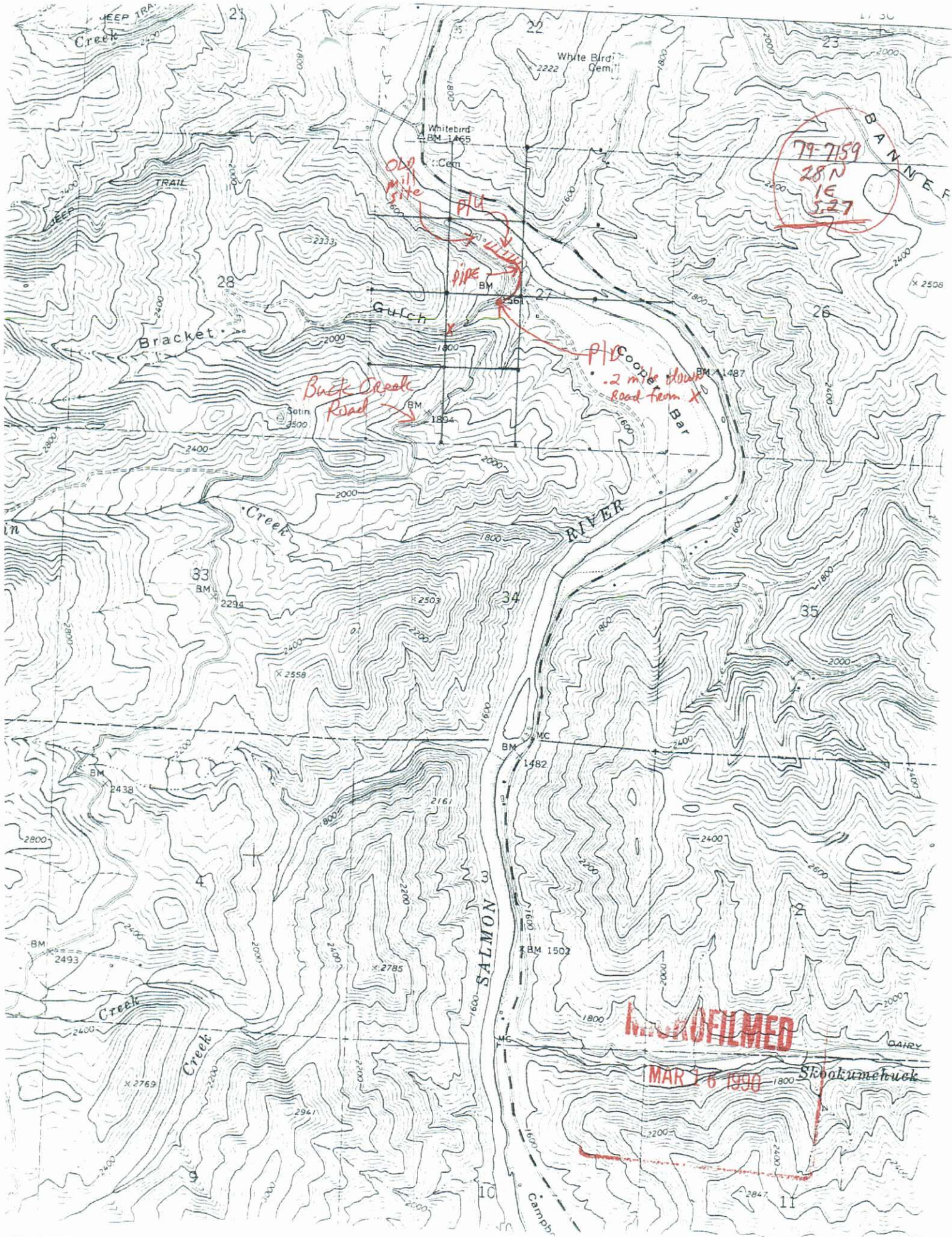
Total number of acres irrigated: 2

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 reflect cropping patterns or acceptable standards of water delivery 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

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MAR 16 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

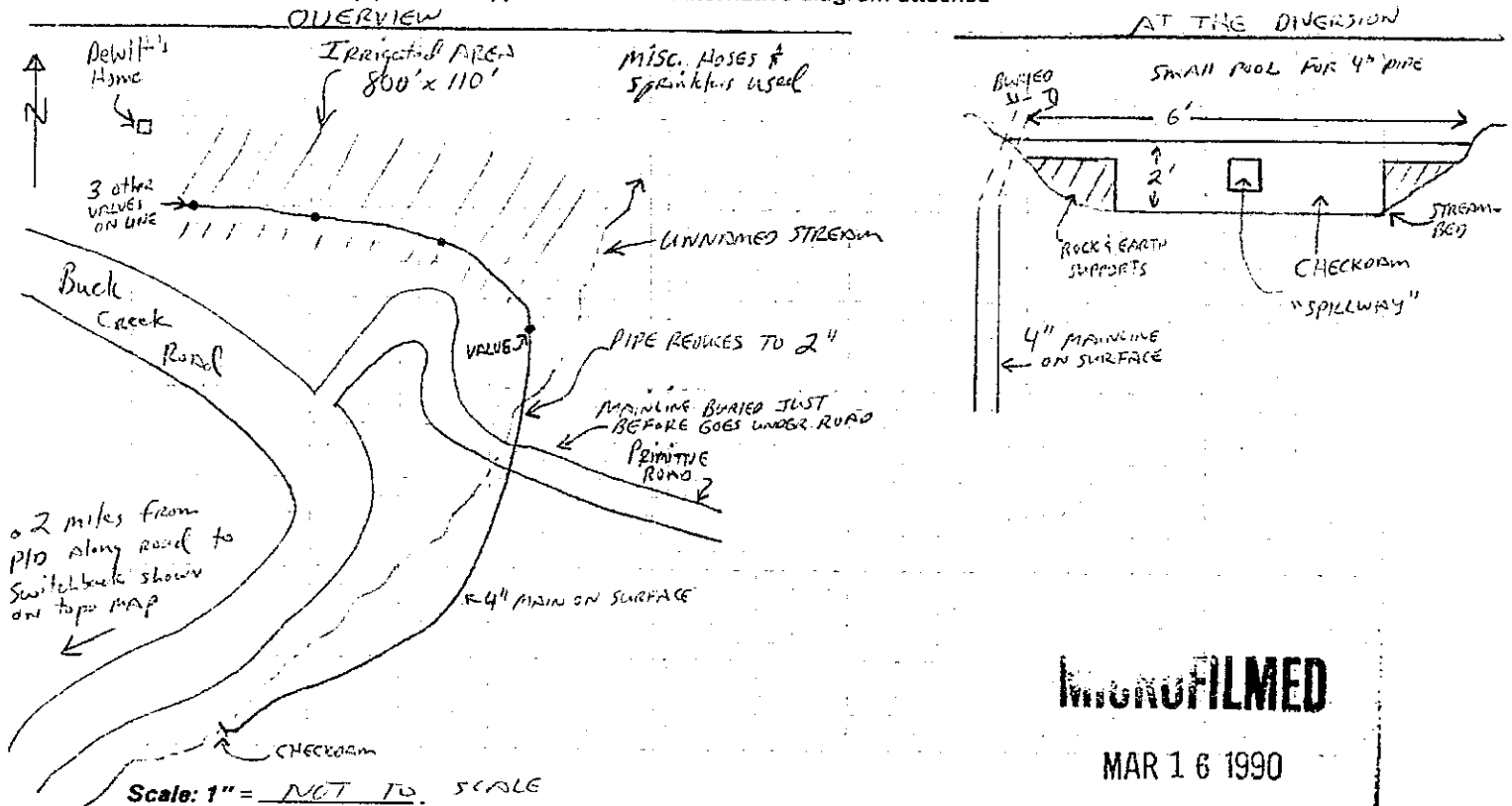
1. Owner: Neal and/or Evelyn DeWitt Permit No. 79-7159
Phone No. 839-2245
Current Address: Box 217 Whitebird, Id. 83554
2. Accompanied by: Evelyn DeWitt EXAM. DATE: 7/26/87
Address: same Phone No. same
Relationship to Permit Holder: Co-owner
3. Source: BRACKET GULCH tributary to Salmon River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 79-7160, 79-2075
☐ Copies Attached N/A
2. Other water rights with same point of diversion: NONE
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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