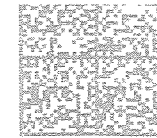


Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNIT 7
\$01.11⁰
0004310839 JAN 05 2007
MAILED FROM ZIP CODE 83702

78-4068B
78-12255
78-12257
78-12259
78-12261
78-12263

RETURNED
TO
SENDER
UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRED

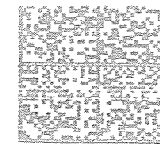
RECEIVED
JAN 11 2007
DEPARTMENT OF
WATER RESOURCES

CHARLES M RICE
440 W IDAHO ST
WEISER ID 83672

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A \$01.11⁰
0004389393 NOV 17 2006
MAILED FROM ZIP CODE 83702

RETURNED
TO
SENDER
UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRED

RECEIVED

NOV 20 2006

DEPARTMENT OF
WATER RESOURCES

CHARLES M RICE
440 W IDAHO ST
WEISER ID 83772

WTT

78-4068B 78-12255
78-12257 78-12259
78-12261 & 78-12263

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
FIRST CLASS
02 1A
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\$01.11⁰
NOV 17 2006
MAILED FROM ZIP CODE 83702

78-4068B

78-12255
78-12257 78-12259
78-12261 78-12263

Not at this
address

NOV 27 2006
SPECIAL DELIVERY
WATER RES.



UNDELIVERABLE AS
ADDRESSED
FORWARDING ORDER
EXPIRED

RECEIVED
11/15/2006
DEC 17 2:35
DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

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: December 8, 2006

Water right number: 78-4068B

SUSAN E PETERSON
1340 W SECOND
WEISER ID 83672
Telephone Number: (208)549-1903

CHARLES M RICE
440 W IDAHO ST
WEISER ID 83672
Telephone Number: (208)549-2443

MARTHA SIPE
2450 MILLWAY DR
BOISE ID 83709
Telephone Number: (208)322-8679

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

DISAGREE WITH QUANTITY - THIS IS LESS
THAN 1/2 THE HISTORIC CFS. (OF 1.24 CFS)

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

RESTORE HISTORIC QUANTITY

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

WISH TO RETAIN QUANTITY THAT HAS
ALWAYS BEEN AVAILABLE

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

DATE: 12-6-06 SIGNATURE: Susan E Peterson

Please print your name: SUSAN E PETERSON

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 8 8 2006

RECEIVED
DEC 07 2006
DEPARTMENT OF
WATER RESOURCES

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 78-4068B, 78-12255, 78-12257,
78-12259, 78-12261, 78-12263

Previous Mailing Address: 2450 MILLWAY DR
BOISE ID 83709

New Mailing Address: 59048 WHITETAIL AVE
ST. HELENS OR 97051

Telephone Number: (503) 397-7191

Signature of all Claimant(s): Susan E. Peterson for Martha Sipe
Please print your name below your signature.

MARTHA W. SIPE

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

Sue PETERSON
(208) 549-1903-h
(208) 414-3763-w
(208) 550-0421-
cell

Martha Sipe
is my sister.
Sorry couldn't
get to this
sooner, or
she could
have signed -
sp

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.

RECEIVED
 DEC 07 2006
 DEPARTMENT OF
 WATER RESOURCES

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
AI 78-4068B	_____	___	_____	_____	___
PD 78-12255	_____	___	_____	_____	___
PD 78-12257	_____	___	_____	_____	___
PD 78-12259	_____	___	_____	_____	___
PD 78-12261	_____	___	_____	_____	___
PD 78-12263	_____	___	_____	_____	___

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)

CHARLES M. RICE, SUSAN E. PETERSON
 MARTHA W. SIPE

4. New Owner/Claimant(s)

SUSAN E. PETERSON, MARTHA W. SIPE

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

New Mailing Address

1340 W SECOND ST

City, State and ZIP Code

WEISER ID 83612

New Telephone Number

208 549-1903

5. Date you acquired the property

? *

REASON FOR CHANGE: CHARLES RICE PASSED AWAY
 FEB. 14, 2005. HE WAS
 A BROTHER OF PETERSON
 & SIPE.

* PLUS: SIPE & PETERSON BOUGHT MR. RICE'S
 SHARE IN 1997 OR 1998.

SCANNED
 DEC 09 2006

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) Susan E. Peterson
(include title if applicable) Susan E. Peterson for Martha Sipe

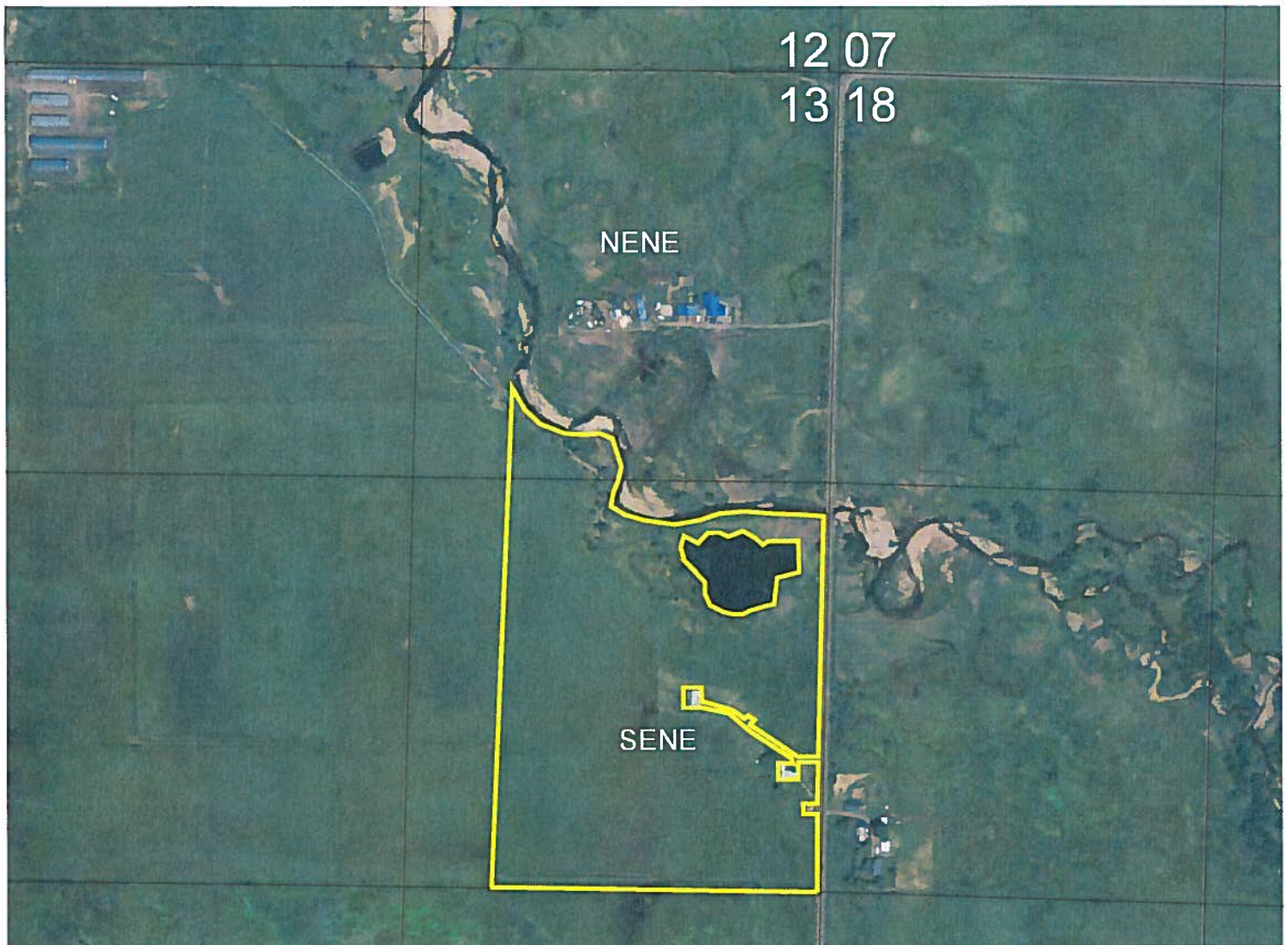
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

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

SCANNED
DEC 09 2006

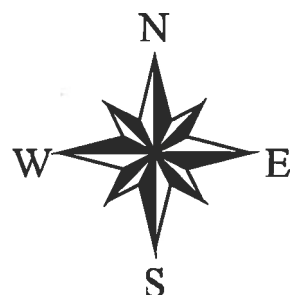
**78-4068B 78-12255 78-12257
78-12259 78-12261 & 78-12263**



400 0 400 800 1200 1600 Feet

T19N R01E S13

Map prepared by: Carter Fritschle
Date prepared: 12/16/05
2004 NAIP Photography
Idaho Department of Water Resources



12/19/2005

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

RIGHT NUMBER: 78-4068B

NAME AND ADDRESS: SUSAN E PETERSON
1340 W SECOND
WEISER ID 83672

CHARLES M RICE
440 W IDAHO ST
WEISER ID 83672

MARTHA SIPE
2450 MILLWAY DR
BOISE ID 83709

SOURCE: WEST BRANCH GOOSE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.570 CFS

PRIORITY DATE: 09/26/1922

Pursuant to a call in times of scarcity, this right is junior to Water Right Nos. 78-2036, 78-2037, 78-2039, 78-2040A, 78-2040B, 78-2042 and 78-2056.

POINT OF DIVERSION:

T19N R02E S19 SESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.570 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T19N R01E S13	NENE	1.3	T19N R01E S13	SENE	27.0
---------------	------	-----	---------------	------	------

28.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 28.3 acres in a single irrigation season.
Combined Right Nos.: 78-4068B, 78-12255, 78-12257, 78-12259, 78-12261 and 78-12263.

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: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Brundage Water Users Association.

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: **A78-04068B**
Date Received: 6/ 6/1988
Receipt No: C001126
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: BILL MC CARTY 208-347-2827
Address: PO BOX 549
NEW MEADOWS ID 83654
AND
Name: GAYLE MC CARTY 208-347-2827
Address: PO BOX 549
NEW MEADOWS ID 83654
2. Date of Priority: SEP 26, 1922
3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 19N | 02E | 19 | NE | SW | SE | | ADAMS |
5. Description of diverting works:
KLF CANAL
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 1.240 | | |
7. Total Quantity Appropriated is:
1.240 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 124.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	13	NE	NE		IRR	31.0
			SE	NE		IRR	31.0
					Section Acres		62.0
					Total Acres		62.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-00173B -00196B -00197B -00198B -00199B -04186

14. Remarks:

OWNERSHIP CHANGED BY LH 6/12/95.

ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 7/16/98.

15. Basis of Claim: STATUTORY CLAIM

RECEIVED

JUN 02 1998

Department of Water Resources

To Dept. of Water Resources
Attn: Kari Lynn

Ref: Water Rights #s

RECEIVED

JUL 13 1998

WATER RESOURCES
WESTERN REGION

A78 - 00173B, A78 - 00196B, A78 - 00197B
A78 00198B, A78 - 00199B, A78 - 04068B
A78 - 04184, A78 - 10222

Please note a change of address
for these water rights holders

Bill & Gayle McCarty

Box 549

New Meadows Idaho

83654

ph # 208 347-2827

Thank you

Bee McCarty

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: **A78-04068B**
Date Received: 6/ 6/1988
Receipt No: C001126
Received By: _____

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

1. Name: BILL MC CARTY
Address: PO BOX 193
LAKEFORK ID 83635
AND
Name: GAYLE MC CARTY
Address: PO BOX 193
LAKEFORK ID 83635
2. Date of Priority: SEP 26, 1922
3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
19N	02E	19	NE		SW		SE		ADAMS
5. Description of diverting works:
KLF CANAL
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.240		
7. Total Quantity Appropriated is:
1.240 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 124.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	13	NE	NE		IRR	31.0
			SE	NE		IRR	31.0
Section Acres							62.0
Total Acres							62.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-00173B -00196B -00197B -00198B -00199B -04186

14. Remarks:

OWNERSHIP CHANGED BY LH 6/12/95.

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): _____ Date: _____
_____ Date: _____

MICROFILMED
OCT 22 1996

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 _____

MICROFILMED
OCT 22 1995

JUN 28 1955



Please print or type

(see instructions on back of page)

LEGAL DESCRIPTION OF PROPERTY: Township 19 N Range 1 E
Section 13, NE 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.

JUN 09 1995

WATER RESOURCES
WESTERN REGION

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

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

- [] Name and Address of Former Owner/Claimant(s)(Seller): TROY & Sharon R. Gerber
2801 MERRITT AVE.
LAS VEGAS, NV. 89102

- [] New Owner/Claimant
(Purchaser): Bill & Gayle McCarty

- [] New Mailing Address: P.O. Box 193
LAKEFORK Id. 83635

- [] New Telephone Number: () _____ - _____

- 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: Copy of Recorded Warranty Deed

proof attached: Copy of 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.)

- of ownership is not required if this form is signed by the
- [] Signature of New Owner/Claimant(s) Brian McCarty Date 5-19-95
- [] Signature of Former Owner/Claimant(s): Shirley McCarty Date 5-19-95
- [] Signature of Former Owner/Claimant(s): _____ Date _____
- [] Signature of Former Owner/Claimant(s): _____ Date _____

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

Date: 10-15-95 By: JED

MICROFILMED
OCT 22 1996

Original to be mailed to Idaho Department of Water Resources

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

JUN 08 1965

LEGAL DESCRIPTION OF PROPERTY: Township 19 N Range 1 E Department of Water Resources
Section 13, NE 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.

JUN 09 1995

[] 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)

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

Troy & Sharon R. Gelber

2801 MERRITT AVE

Las Vegas, NV. 89102

[] New Owner/Claimant
(Purchaser):

Bill & Gayle McCarty

☐ New Mailing Address:

P.O. Box 193

Lake Fork Id. 83635

[[New Telephone Number:

() _____

[] 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: —

Copy of Recorded 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)

Date _____

Date _____

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

Date 5/17/95

Date 5/17/95

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

Claim Numbers of Split, if any:

MICROFILMED
OCT 22 1996

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

INSTRUMENT NO. 87858
WARRANTY DEED

RECEIVED

JUN 08 1995

Department of Water Resources

RECEIVED

JUN 09 1995

WATER RESOURCES
WESTERN REGION

For Value Received TROY GERBER and SHARON R. GERBER, husband and wife

the grantors. do hereby grant, bargain, sell and convey unto

BILL MCCARTY and GAYLE MCCARTY, husband and wife

the grantee, whose current address is, P.O. Box 193, Lakefork, Idaho 83635.

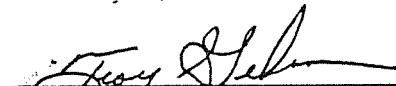
the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" WHICH IS MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances SEE EXHIBIT "A" excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

and that they will warranty and defend the same from all lawful claims whatsoever.

Date: May 15, 1995


Troy Gerber

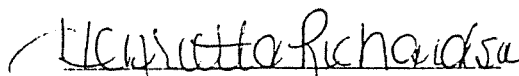

Sharon R. Gerber

STATE OF NEVADA)
) ss
COUNTY OF Clark)

STATE OF IDAHO, COUNTY OF Adams
I hereby certify that this instrument was filed for record at the
request of Timberline Title & Escrow

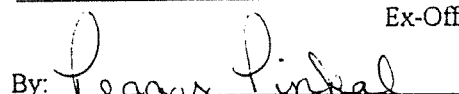
On this 17 day of May, in the year of 1995, before me
a Notary Public, personally appeared
TROY GERBER and SHARON R. GERBER
known or identified to me to be the persons whose names
subscribed to the within instrument, and acknowledged to me
that they executed the same

at 50 minutes past 4 o'clock P M.
this 19th day of May, 19 95, in my office,
and duly recorded in Book
of Deeds at page


Notary Public
Residing at Las Vegas, NV
Commission expires: 10-5-96

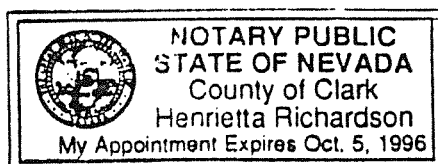
MICHAEL FISK

Ex-Officio Recorder

By: 
Deputy

Fees \$6.00

Mail to: Timberline Title & Escrow



MICROFILMED
OCT 22 1996

RECEIVED

INSTRUMENT NO. 87858

JUN 08 1995

SCHEDULE A

Department of Water Resources

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 13: A parcel of land situated in the NE1/4 of said section more particularly described as follows:

Beginning at the NE corner of Section 13;

Thence South 88 degrees 52'25" West 1018.97 feet to a point;

Thence South 00 degrees 36'32" West 850.89 feet to a point;

Thence North 88 degrees 52'25" East 1029.70 feet to a point;

Thence North 00 degrees 06'48" West 850.64 feet to the POINT OF BEGINNING.

EXCEPTING the right-of-way of the county road known as Farrell Road.

SUBJECT TO:

GENERAL TAXES AND ASSESSMENTS for the year 1995 which are a lien but not yet due or payable.

GENERAL USE EASEMENT for movement of cattle and machinery across land granted to DARRELL L. CAMPBELL and DONNA M. CAMPBELL, husband and wife, as set forth in Warranty Deed recorded August 5, 1985 as Instr. No. 70739.

ALL EASEMENTS AND RIGHTS-OF-WAY existing or of record.

NOTICE OF EASEMENT recorded September 9, 1994 as Instr. No. 86611.

DEED OF TRUST dated August 14, 1992 between TROY GERBER and SHARON R. GERBER, husband and wife, Grantors; TIMBERLINE TITLE AND ESCROW, INC., Trustee; and MARTHA W. SIPE and ROBERT B. SIPE, husband and wife; SUSAN E. PETERSON and JIMMY L. PETERSON, husband and wife, and CHARLES M. RICE, a single man, Beneficiaries, to secure an indebtedness in the original principal sum of \$27,000.00, recorded August 27, 1992 as Instr. No. 82560.

ASSIGNMENT OF INTEREST of CHARLES M. RICE to GEORGE HASTINGS and EILEEN HASTINGS, husband and wife, recorded December 30, 1994 as Instr. No. 87230.

MATTERS DISCLOSED ON A RECORD OF SURVEY recorded October 2, 1992 as Instr. No. 82964.

MICROFILMED
OCT 22 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: **A78-04068B**
Date Received: 6/ 6/1988
Receipt No: C001126
Received By: _____

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

1. Name: TROY GERBER 702-367-6726
Address: 2801 MERRITT AVE
LAS VEGAS NV 89102

AND

Name: SHARON R GERBER 702-367-6726
Address: 2801 MERRITT AVE
LAS VEGAS NV 89102

2. Date of Priority: SEP 26, 1922

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	19	NE	SW	SE		ADAMS

5. Description of diverting works:
KLF CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.240		

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

8. Total consumptive use is 124.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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AUG 08 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	01E	13	NE		NE		IRR	31.0
			SE		NE		IRR	31.0
Section Acres								62.0
Total Acres								62.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-00173B -00196B -00197B -00198B -00199B -04186

14. Remarks:

NONE

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): _____ Date: _____
_____ Date: _____

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AUG 08 1994

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 _____

MICROFILMED

AUG 08 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

NOV 23 1992

Department of Water Resources

DATE OF CLOSING: 8-20-92

LEGAL DESCRIPTION OF PROPERTY: Township 19N Range 1E
Section 13, NE 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.

☐ 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: A78-00173B, 00196B, 00197B, 00198B, 00199B,
04068B, 04186, 10322

☐ Name and Address of Former Owner/Claimant(s)(Seller): Martha Sipe, Charles Rice, Jensen Peterson
2450 Millway Dr., Boise, ID 83709

☒ New Owner/Claimant (Purchaser): TROY & SHARON R. GERBER

☒ New Mailing Address: 2801 MERRITT AVE
LAS VEGAS, NV 89102

☒ New Telephone Number: (702) 367-6726

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

☐ Attach proof of ownership, describe proof attached: Copy of Warranty Deed (Recorded Cop 4

(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) Troy Gerber Date 8/21/92
Sharon R. Gerber Date 8/21/92

☐ 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: 8-8-92 By: JD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 12-8-92 By: JD

Claim Numbers of Split, if any:

MICROFILMED

AUG 08 1994

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



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 8-20-92

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
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.

☐ 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: _____

☒ Name and Address of Former Owner/Claimant(s)(Seller): Martha Sipe, Charles Rice, Susan Peterson
2450 Millway Dr. Boise, ID 83709

☐ New Owner/Claimant
(Purchaser): _____

☐ New Mailing Address: _____

☐ New Telephone Number: () _____ - _____

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

☐ Attach proof of ownership, describe proof attached: Copy of Recorded 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) _____ Date _____

☒ Signature of Former Owner/Claimant(s): Martha N. Sipe, Robert P. Rice Date 8-18-92
Susan E. Peterson Date 8-18-92

Charles M. Rice by Susan E. Rice Peterson 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:

MICROFILMED

AUG 08 1994

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

WARRANTY DEED

For Value Received MARTHA W. SIPE, aka Martha Winifred Rice Sipe and ROBERT B. SIPE, wife and husband AND SUSAN E. PETERSON, aka SUSAN ELAINE RICE PETERSON, and JIMMY L. PETERSON, wife and husband AND CHARLES M. RICE, aka CHARLES MACK RICE, A Single person
the grantor s, do hereby grant, bargain, sell and convey unto

TROY GERBER and SHARON R. GERBER, husband and wife
the grantee s, whose current address is 2801 Merritt Ave., Las Vegas, Nevada
the following described premises, in Adams County, Idaho, to-wit:

A parcel of land situated in the NE 1/4 OF Section 13, Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of Section 13, noted above, thence
S. 88 degrees 52' 25" W., 1018.97 feet to a point; thence
S. 0 degrees 36' 32" W., 850.89 feet to a point; thence
N. 88 degrees 52' 25" E., 1029.70 feet to a point; thence
N. 0 degrees 06' 48" W., 850.64 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they the owner s in fee simple of said premises; that they are free from all incumbrances except for all easements of record, rights of way, matters visible, and all matters of record and title.

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

Dated: Susan E. Peterson
Susan E. Peterson
Martha W. Sipe
Martha W. Sipe

Jimmy L. Peterson
Jimmy L. Peterson
Robert B. Sipe
Robert B. Sipe

Charles M. Rice by Susan Elaine Rice Peterson, attorney-in-fact
Charles M. Rice by Susan Elaine Rice Peterson, his attorney in fact

STATE OF IDAHO
COUNTY OF Ada ss
On this 18th day of August, in the year 1992, before me, a Notary Public, personally appeared MARTHA W. SIPE and ROBERT B. SIPE known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

John Fraley
Notary Public
Residing at Boise, Idaho.

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title & Escrow at 37 minutes past 11 o'clock AM., this 27 day of August 1992, in my office, and duly recorded in Book of Deeds at page

Michael Fisk

Ex-Officio Recorder

By Sarah J. Wilson
Deputy.

Fees \$ 6.00
Mail to:

INSTRUMENT NO. 06055

ph

STATE OF Idaho)
County of ~~Ad~~ Washington) ss

On this 18th day of August, 1992, before me a Notary Public in and for the said State personally appeared

SUSAN ELAINE RICE PETERSON
as the true and lawful attorney in fact for
CHARLE MACK RICE
and acknowledge to me that SHE executed the same in

capacity as the true and lawful attorney in fact for
CHARLES MACK RICE

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

Cheryl S. Karnes
Notary Public for: Idaho
Residing at: Weiser, Idaho
Commission expires: 9-25-94

STATE OF Idaho)
County of Washington) ss

On this 18 day of August, in the year 1992, before me Cheryl S. Karnes, a Notary Public, in and for said State personally appeared SUSAN E. PETERSON and JIMMY L. PETERSON,

known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Cheryl S. Karnes
Notary Public for: Idaho
Residing at: Weiser, Idaho
Commission expires: 9-25-94

AUG 08 1994
MICROFILMED

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: A78-04068B

Date Received: 5/31/1988

Receipt No: 0001126

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARTHA SIPE
Address: 2450 MILLWAY
BOISE, ID 83709 208-322-8679
OR
Name: CHARLES M. RICE
Address: 440 W. IDAHO ST.
WEISER, ID 83672 208-549-2443
OR
Name: SUSAN E. PETERSON
Address: 1340 WEST SECOND
WEISER, ID 83672 208-549-1903
2. Date of Priority: SEP 26, 1922
3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
19N	02E	19	NE		SW		SE		ADAMS
5. Description of diverting works:
KLF CANAL
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.240		
7. Total Quantity Appropriated is:
1.240 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 124.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

A78-04068B

Page 1

Date: 05/31/88

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OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	13	NE	NE		IRR	31.0
			SE	NE		IRR	31.0
Section Acres							62.0
Total Acres							62.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-00173B -00196B -00197B -00198B -00199B -04186

14. Remarks:

NONE

15. Basis of Claim: BENEFICIAL USE

Water Right Number:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Marta N. Lipe Date: 6-3-88

Date: _____

State of Idaho)
County of Ada) SS.

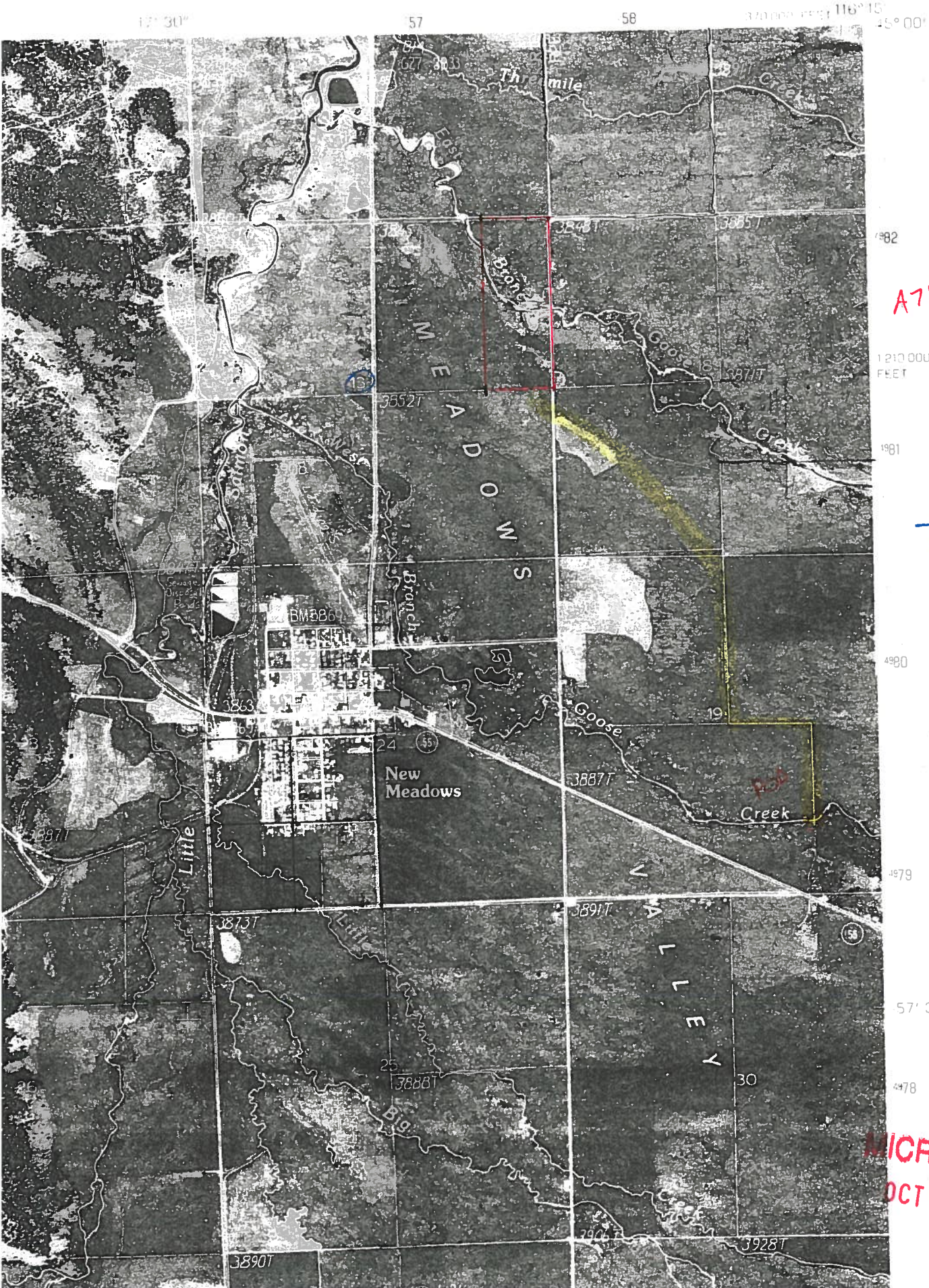
Subscribed and sworn (or affirmed) before me this 3rd day
of June 19 88 Carmel J. Miller
Notary Public

Seal

Residing at Boise
My Commission Expires 8/9/90

NEW MEADOWS QUADRANGLE
IDAHO
7.5-MINUTE SERIES (ORTHO PHOTOQUAD)

RIE



A78-0406BB

T19N

MICROFILMED
OCT 05 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A78-00173B, A78-00196B, A78-00197B,
A78-00198B, A78-00199B, A78-04068B, A78-04186, A78-10222

Bill Mc Carty
Gayle Mc Carty
PO Box 549
New Meadows ID 83654

Dear Mr. & Mrs. Mc Carty:

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

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

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

Sincerely,

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

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 13, 1995

Re: Notices of Claim to a Water Right Nos. A78-00173B, A78-00196B,
A78-00197B, A78-00198B, A78-00199B, A78-04068B, A78-04186,
A78-10222

Bill Mc Carty
Gayle Mc Carty
P.O. Box 193
Lakefork, ID 83635

Mr. & Mrs. Mc Carty:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

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

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

Sincerely,

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

LH:1
Enclosure

MICROFILMED
OCT 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 8, 1992

Re: Notices of Claim to a Water Right No. A78-00173B, A78-00196B,
A78-00197B, A78-00198B, A78-00199B, A78-04068B, A78-04186, A78-10222

Troy Gerber
Sharon R. Gerber
2801 Merritt Ave.
Las Vegas, NV 89102

Mr. & Mrs. Gerber:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

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

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

Sincerely,

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

LH:1
Enclosure

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AUG 08 1994