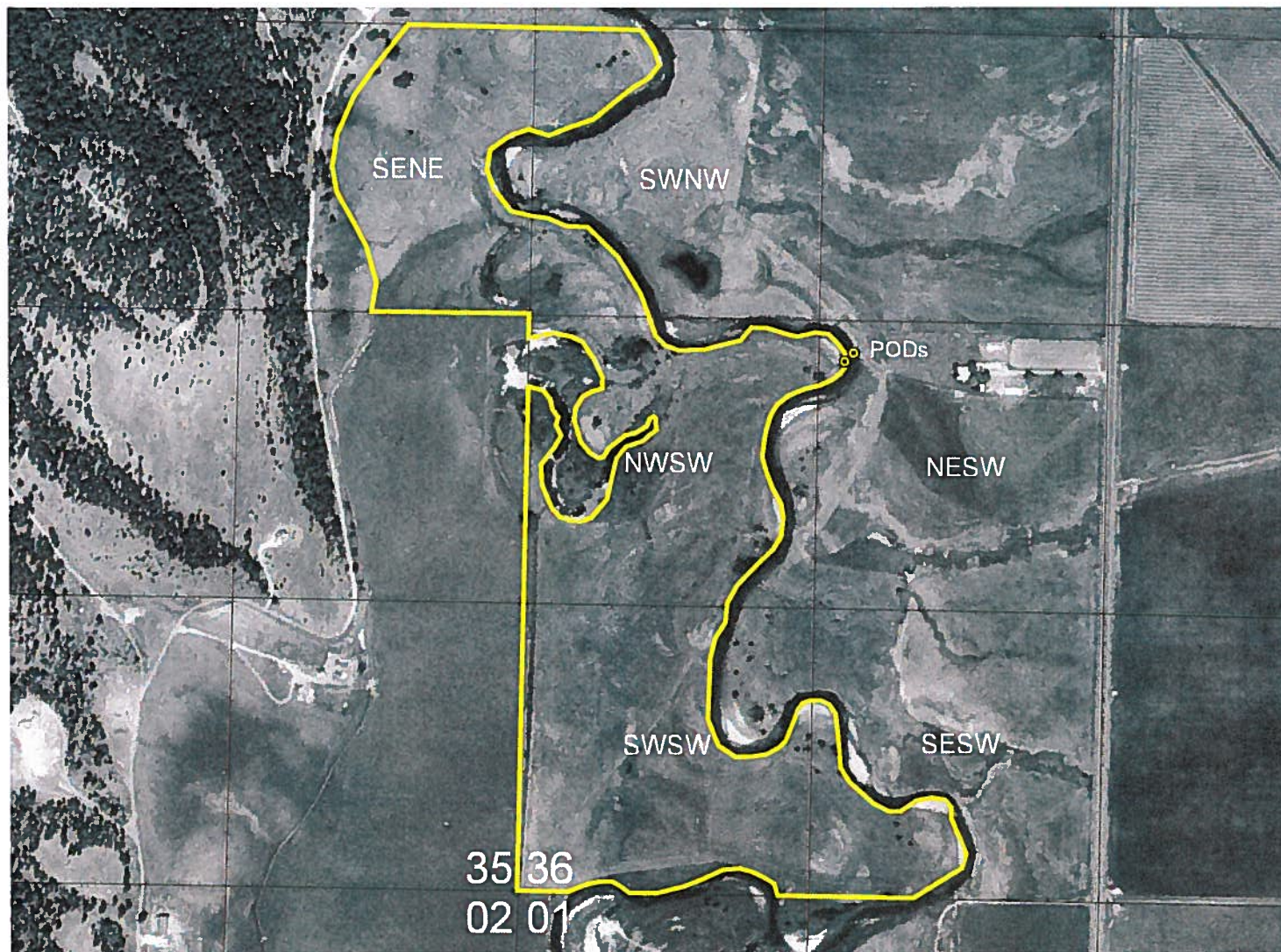


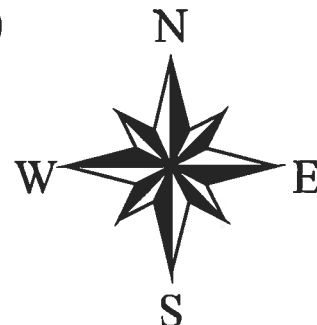
78-2071A



800 0 800 1600 2400 Feet

T20N R01E S35 & S36

Map prepared by: Carter Fritschle
Date prepared: 09/22/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



11/01/2007

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

RIGHT NUMBER: 78-2071A

NAME AND ADDRESS: JEANNE W WALLACE
PO BOX 711
WEISER ID 83672

SOURCE: LITTLE SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 2.260 CFS

The rights listed below are limited to a total combined annual diversion volume of 744.9 af.
Combined Right Nos.: 78-2055, 78-2071A and 78-7015

PRIORITY DATE: 11/13/1963

POINT OF DIVERSION:

T20N R01E S36 NESW Within ADAMS County

T20N R01E S36 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 09/30	2.260 CFS

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before May 1 and after September 30 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in ADAMS County

T20N R01E S35	SENE	22.00	T20N R01E S36	SWNW	8.90
T20N R01E S36	NESW	0.50	T20N R01E S36	NWSW	29.00
T20N R01E S36	SWSW	33.00	T20N R01E S36	SESW	8.10

101.5 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: BASIS OF CLAIM - License

09/22/2005

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

RIGHT NUMBER: 78-2071A

NAME AND ADDRESS: JEANNE W WALLACE
704 MANNS CREEK RD
WEISER ID 83672

SOURCE: LITTLE SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 2.260 CFS

The rights listed below are limited to a total combined annual diversion volume of 744.9 af.
Combined Right Nos.: 78-2055, 78-2071A and 78-7015

PRIORITY DATE: 11/13/1963

POINT OF DIVERSION:

T20N R01E S36 NESW Within ADAMS County

T20N R01E S36 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 09/30	2.260 CFS
The use of water for irrigation under this right may begin as early as May 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before June 1 and after September 30 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION Within ADAMS County

T20N R01E S35	SENE	22.0	T20N R01E S36	SWNW	8.9
T20N R01E S36	NESW	0.5	T20N R01E S36	NWSW	29.0
T20N R01E S36	SWSW	33.0	T20N R01E S36	SESW	8.1

101.5 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: BASIS OF CLAIM - License

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Victor Durden

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from May 1 to September 30	at 2.28 cfs and	576 acre feet or 3.0 af per acre
	from _____	cfs and	
	from _____	at _____ cfs and	

(month date inclusive)

Description and location of place of use:

[illegible]

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of March 19 78

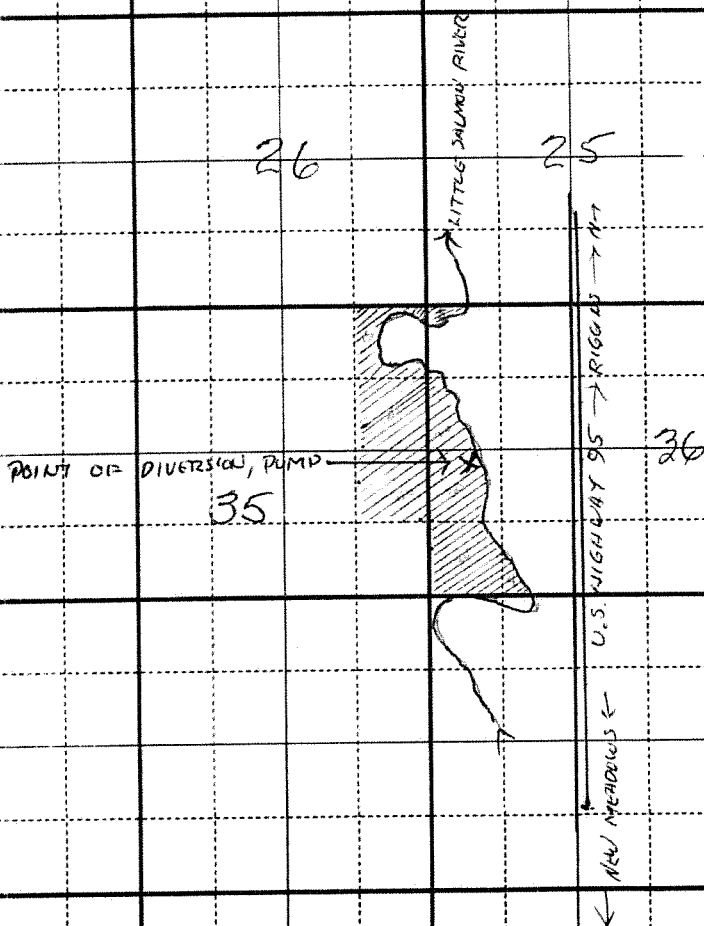
Director

NAME OF APPLICANT

VICTOR DURDEN

Form No. 0

TOWNSHIP 20 N RANGE 1 E 5th M.



Permit Map No. 31528
APPROVED
CARL E. TAPPAN
State Reclamation Engineer
NOV 18 1963

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

31528

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Victor Durden
Post office address New Meadows, ID Phone 208-338-1111
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Little Salmon River
(name spring, stream, etc.)
Tributary to Salmon River

3. Water will be used for the following purposes:

Amount 3.84 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from May 1 to Oct. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 31528/78-2071
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 3.84 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 20N N/S, Range 1E E/W, B.M., Section 36, Subdivision NE 1/4 SW 1/4 Adams
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County

Other Points of Diversions: _____

Description of diverting works: Motor, pump & sprinkling system.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
20N	1E	36						5	20			30	34	8					97
		35		15		40									40				95

TOTAL ACREAGE 192

DATE OF EXAM 9-9-75

ACREAGE
Found 192
Recommended 192

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 2.052 c.f.s. V = 576 AF/Ann. from May 1 to Oct 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 900 gpm Method of measurement In line flow meter

Total Q recommended 2.1 cfs Meter No. 11337 Type Rockwell Condition Working (new)

Total V recommended 576 af/ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

900 gpm = 2.052 cfs
Total V = (192 a) x (3.0 af/ac) = 576

SYSTEM DESCRIPTION:

Gould Century 60 HP pump motor part # 6-320207-01, Japco
Pump # 60-6H 4T - 6" intake pipe - 6" main line - raised 30' from
ground and 2 nozzles (double) - 20' head

REMARKS:

P.D. can water either this permit or 78-7015 - water
is for irrigation of pasture for cattle

Examiner's Signature Peter Chamberlin Date 9-16-75

Checked by _____ Date _____

Approved by _____ Date _____

Handwritten content in the 3x3 sub-grid:

15	5	
35	40	20
	40	30
	37	8

Additional handwritten content:

- 36 (to the right of the top-right cell of the sub-grid)
- (*) PP (to the right of the middle-right cell of the sub-grid)

Diagram of System

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: **A78-02071A**
Date Received: 6/21/1988
Receipt No: W000333
Received By: _____

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

1. Name: JEANNE W WALLACE 208-549-0187
Address: 704 MANNS CREEK
WEISER ID 83672

2. Date of Priority: NOV 13, 1963

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	01E	36		NE	SW		ADAMS

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.260		

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

8. Total consumptive use is 264.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
20N	01E	35	SE	NE		IRR	40.0

MICROFILMED

AUG 08 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		36	SW	NW	IRR	20.0
			NW	SW	IRR	30.0
			SW	SW	IRR	34.0
			SE	SW	IRR	8.0
					Section Acres	92.0
					Total Acres	132.0

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:
A78-02055 & A78-07015

14. Remarks:
DESCRIPTION OF EXISTING DIVERSION WORKS: 40HP AND 60HP PUMPS
IN RIVER TO UNDERGROUND PIPELINE WITH SPRINKLER SYSTEM AND SOME
ABOVE GROUND ALSO TO A SPRINKLER IRRIGATION SYSTEM.

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: _____

MICROFILMED
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)

Department of Water Resources

DATE OF CLOSING: 4/01/93

RECEIVED
MAY 5 1993

LEGAL DESCRIPTION OF PROPERTY: Township 20N Range 1E
Section 35, 36 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) Department of Water Resources
Western Regional Office

☐ Water Right Number(s) #A78-02055, #A78-10214
Assigned by IDWR: #A78-02071A, #A78-07015, #A78-04114

☐ Name and Address of Former Owner/Claimant(s)(Seller): Patricia J. Darden
102 N.W. Sunhill Dr.

☐ New Owner/Claimant (Purchaser): Grants Pass, OR 97526
Jeanne W. Wallace

☐ New Mailing Address: 704 ~~Manns~~ Creek
Weiser, ID 83672

☐ New Telephone Number: (208) 549-0197

☐ 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) Jeanne W. Wallace Date 5-3-93

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5-10-93 By: JAN

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 5-10-93 By: JAN

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 PATRICIA JEAN DURDEN, TRUSTEE OF THE PATRICIA DURDEN TRUST, Dated January 3, 1991

the grantor , does hereby grant, bargain, sell and convey unto JEANNE W. WALLACE, a married woman, as her sole and separate property

the grantee, whose current address is, 704 Manns Creek, Weiser, ID 83672

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

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

RECEIVED
MAY 5 1993

Department of Water Resources
Western Regional Office

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee , that she is the owner in fee simple of said premises; that they are free from all incumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

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

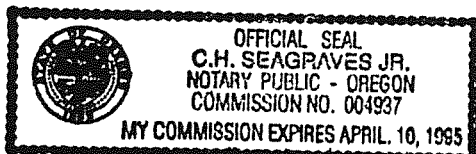
Date: March 31, 1993

Patricia Jean Durden

STATE OF Oregon)
COUNTY OF Josephine) ss

On this 31 day of March, in the year of 1993, before me a Notary Public, personally appeared PATRICIA JEAN DURDEN known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Patricia Durden Trust, and acknowledged to me that she executed the same as Trustee of the Patricia Durden Trust.

[Signature]
Notary Public
Residing at Gionterley Cr.
Commission expires: 4-10-95



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

at 50 minutes past 4 o'clock P.M.
this 2 day of April, 19 93, in my office, and duly recorded in Book ---- of Deeds at page ----

Michael Fisk

Ex-Officio Recorder

By: [Signature]

Deputy

Indexed

Fees \$ 6.00
Mail to:

MICROFILMED
83829

AUG 08 1994
INSTRUMENT NO. _____

EXHIBIT "A"

Department of Water Resources

Western Regional Office

Parcel 1

A parcel of land situated in the SE1/4NE1/4 of Section 35, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

COMMENCING at a brass cap marking the 1/4 Corner common to Sections 35 and 36, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho, the REAL POINT OF BEGINNING:

Thence South 89 degrees 13'17" West, 1000.93 feet along the Southerly boundary of said SE1/4NE1/4 to the Easterly right of way of a County Road;

thence, Northerly along said Easterly right of way:

North 6 degrees 30'00" West, 120.08 feet, (also shown as 6 degrees 29'59" West, 120.08 feet),

North 2 degrees 37'21" East 642.21 feet,

North 9 degrees 04'11" East 194.43 feet,

North 20 degrees 42'17" East 236.90 feet,

North 34 degrees 44'47" East, 192.90 feet to the Northerly boundary of said SE1/4NE1/4,

thence, North 89 degrees 20'55" East, 770.09 feet to the N1/16 corner common to Sections 35 and 36,

thence, South 0 degrees 24'12" West, 1328.13 feet to the POINT OF BEGINNING.

EXCEPTING the right of way of the County Road.

Parcel 2

A parcel of land being the S1/2NW1/4, and the SW1/4 of Section 36, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho. more particularly described as follows:

COMMENCING at an aluminum cap marking the South corner common to Sections 35 and 36, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho, THE REAL POINT OF BEGINNING:

Thence North 0 degrees 33'35" East, 2660.97 feet to the 1/4 corner common to Sections 35 and 36,

thence, North 0 degrees 24'12" East, 1328.13 feet to the North 1/16 corner common to Sections 35 and 36,

thence, North 89 degrees 31'15" East 2605.15 feet along the Northerly boundary of said S1/2NW1/4 to the Westerly right of way line of State Highway 95,

thence, South 0 degrees 07'49" West, 3739.09 feet along said right of way,

thence, 234.73 feet along a curve to the left whose radius is 57,335.80 feet and delta angle is 0 degrees 14'04" along said right of way to the South boundary of said Section 36,

thence, South 89 degrees 11'46" West, 2632.10 feet to the POINT OF BEGINNING.

EXCEPTING the right of way of State Highway 95.

MICROFILMED

AUG 08 1994

new ownership
file copy

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: A78-02071A
Date Received: 6/21/1988
Receipt No: W000333
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATRICIA J. DURDEN 503-476-1392
Address: 102 N.W. SUNHILL DR.
GRANTS PASS, OR 97526

2. Date of Priority: NOV 13, 1963

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	01E	36	NE	SW			ADAMS

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.260		

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

8. Total consumptive use is 264.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	35	SE	NE		IRR	40.0
						Section Acres	40.0
		36	SW	NW		IRR	20.0

MICROFILMED
OCT 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	36	NW	SW		IRR	30.0
			SW	SW		IRR	34.0
			SE	SW		IRR	8.0
Section Acres							92.0
Total Acres							132.0

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:
A78-02055 & A78-07015

14. Remarks:

DESCRIPTION OF EXISTING DIVERSION WORKS: 40HP AND 60HP PUMPS
IN RIVER TO UNDERGROUND PIPELINE WITH SPRINKLER SYSTEM AND SOME
ABOVE GROUND ALSO TO A SPRINKLER IRRIGATION SYSTEM.

15. Basis of Claim: LICENSE

Decree Plaintiff

vs

Decree 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/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 _____

REC

MAR 26 1990

CHANGE IN OWNERSHIP

5 Claims: A78-10214, A7802055, A78-07015
A78-02071A, A78-04114

[] Department of Water Resources

[] Department Number(s):

[] Name and Address of
Former Claimant:

Jim C. and Noreen Kern

Drawer B

New Meadows, ID 83654

[] New Claimant(s):

Patricia J. Durden

[] New Mailing Address:

~~975 XXXXX XXXXXX~~ 102 N. W. Sunhill Drive

Grants Pass, Oregon ~~97526~~ 97526

New Telephone Number: (503) 476-1392

[] Does the change in ownership result in a splitting of the
water right claimed? _____ yes _____ x _____ no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership

Describe proof attached: Deed in Lieu of Foreclosure

[] Signature of New Claimant(s):

Patricia J. Durden

Date: 3-15-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4/20/90 By: *RAH*

Further Action Needed:

Further Action Taken

Date: 4/20/90

By: *RAH*

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

MICROFILMED

OCT 05 1992

DEED IN LIEU OF FORECLOSURE

FOR VALUE RECEIVED, James ^{JK} Kern and Noreen G. Kern, husband and wife, as Grantors, do hereby grant, bargain, sell and convey unto Patricia J. Durden, a single woman, as Grantee, whose current address is 575 Catalpa Drive, Grants Pass, Oregon, 97256, the following described real property:

A tract of land lying and situated in Adams County, Idaho, in Township 20 North, Range 1 East of the Boise Meridian, more particularly described as follows:

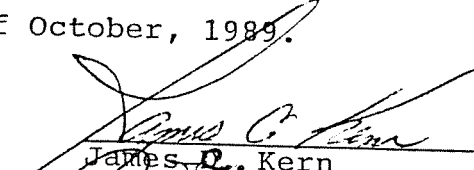
Parcel 1: All that portion of the SE 1/4 NE 1/4 of Section 35 of said Township and Range lying East of the county road as the same was established in 1963.

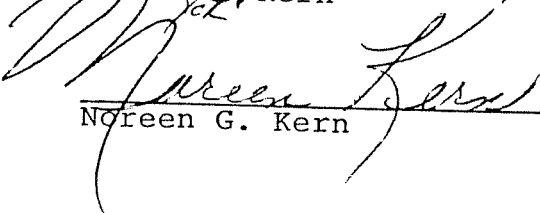
Parcel 2: The S 1/2 NW 1/4; and the SW 1/4 of Section 36 of said Township and Range excepting right-of-way of U.S. Highway 95.

TO HAVE AND TO HOLD The said premises with their appurtenances, including all water rights of every kind and character appertaining thereto unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that the Grantors are the owners in fee simple of said premises, that said premises are free from all encumbrances except those of record, and that Grantors will warrant and defend the same from all lawful claims whatsoever which do not appear of record as of the date hereof.

THIS DEED Is further subject to the terms and conditions of an Estoppel Affidavit made and delivered by Grantors to the Grantee of even date with this Deed.

DATED This 11 day of October, 1989.


James G. Kern


Noreen G. Kern

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: A78-02071A
Date Received: 6/21/1988
Receipt No: W000333E W000334
Received By: [Signature] 154

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JIM C. KERN 208-347-2126
Address: DRAWER B
NEW MEADOWS, ID 83654

AND/OR

Name: NOREEN KERN 208-347-2126
Address: DRAWER B
NEW MEADOWS, ID 83654

2. Date of Priority: NOV 13, 1963

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	01E	36	NE	SW			ADAMS

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.260		

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

8. Total consumptive use is 264.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	35	SE	NE		IRR	40.0
						Section Acres	40.0
		36	SW	NW		IRR	20.0
			NW	SW		IRR	30.0
			SW	SW		IRR	34.0
			SE	SW		IRR	8.0
						Section Acres	92.0
						Total Acres	132.0

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:
A78-02055 & A78-07015

14. Remarks:
DESCRIPTION OF EXISTING DIVERSION WORKS: 40HP AND 60HP PUMPS
IN RIVER TO UNDERGROUND PIPELINE WITH SPRINKLER SYSTEM AND SOME
ABOVE GROUND ALSO TO A SPRINKLER IRRIGATION SYSTEM.

15. Basis of Claim: LICENSE
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 _____ 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

A78-2071A

Date Received

6/7/88

Receipt Number

W000 333 ✓
W000 334

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

Please type or print clearly

1. Name of Claimant (s) Jim C. & PR NOREEN KERN Phone (208) 347-2126Mailing Address DRAWER B, NEW MEADOWS, ID Zip 836542. Date of Priority (Only one (1) per claim) 11/13/19633. Source of water supply (a) LITTLE SALMON R.
which is tributary to (b) SALMON R.4. a. Location of existing point of diversion is: Township 20N Range 1E Section 36,
_____ 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of ADAMSAdditional points of diversion if any: (2 POINTS)

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.40 HP & 60 HP PUMPS IN
RIVER TO UNDERGROUND PIPELINE WITH SPRINKLER SYSTEM
+ SOME ABOVE GROUND ALSO TO A SPRINKLER IRRIGATION
SYSTEM.

MICROFILMED

OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount 2.26 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.26 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 264 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>20N</u>	<u>1E</u>	<u>35</u>				<u>40</u>													<u>40</u>
		<u>36</u>							<u>20</u>				<u>30</u>	<u>34</u>	<u>8</u>				<u>92</u>

Total number of acres irrigated 132

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

12. Do you own the property listed above as place of use? Yes X 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.
A78-2055 & 7015. or None ()

14. Remarks:

MICROFILMED

OCT 05 1992

Last Name KERN Ident No. 78-2071A

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number A 78-2071A
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 X 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) [Signature] Date 5/27/88
[Signature] Date 5/27/88

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day of May 19 88

SEAL

Notary Public Nancy M. Lindgren

Residing at Boise

My Commission Expires 1-19-1994

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 _____

MICROFILMED
OCT 05 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 10, 1993

Re: Notices of Claim to a Water Right Nos. A78-02055, A78-02071A,
A78-04114, A78-07015, A78-10214

Jeanne W. Wallace
704 Manns Creek
Weiser, ID 83672

Ms. Wallace:

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:l
Enclosure

cc: Patricia J. Durden

MICROFILMED

AUG 08 1994

INTER-DEPARTMENT MEMO — 1

FROM Helen

DATE 11-3-89

TO Western Pgn — Jan

SUBJECT Fee Breakdown on W000333/W000334

In addition to the ^{claim} numbers listed on the attached receipts, A78-10214 also needs to be listed; however, I can't determine the correct fee splits between the two receipts (different company names; perhaps fees for specific claim from a specific company account). I've never seen receipts which could list more in fees than the total receipted!

MICROFILMED
OCT 6 5 1992

SIGNATURE

[Signature]

W000333

06/10/88
12:02:15

A + INC.

ADJUDICATION CLAIM FEES

0410162 9337 6490

\$329.00

\$329.00

CHECK 1140

WR/NO: A78-02071A

A78-02055

A78-07015

A78-04114

A78-10214

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

MICROFILMED
OCT 05 1992

5-10-90 - L.W

W000333 v 334

W000333

Modified each claim amount (\$) so they would match
the total.

Added claim #A78-10214.

06/10/88
12:02:15

A + INC.

ADJUDICATION CLAIM FEES

0410162 9337 6490

\$329.00

\$329.00

CHECK 1140

WR/NO: A78-02071A A78-02055 A78-07015 A78-04114 A78-10214

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

MICROFILMED
OCT 05 1992