

11/15/2006
RECEIVED
DEC 01 2006
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: 78-7000A
BROWNS INDUSTRIES INC
101 S CAPITOL BLVD
STE 1705
BOISE ID 83702
Telephone Number: (208)342-7883

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

Name and Address

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

change Suite 1705 to Suite 305

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

Moved

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

DATE: 11-29-06 SIGNATURE: Indd W. DeBoer, President
Please print your name: Indd W. DeBoer

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

11/15/2006 RECEIVED

NOTICE OF ERROR
REPLY

DEC 6 1 2006

DEPARTMENT OF
WATER RESOURCES

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: 78-7000B

BROWNS INDUSTRIES INC

101 S CAPITOL BLVD

STE 1705

BOISE ID 83702

Telephone Number: (208)342-7883

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

Name and address

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

change suite 1705 to Suite 305

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

moved

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

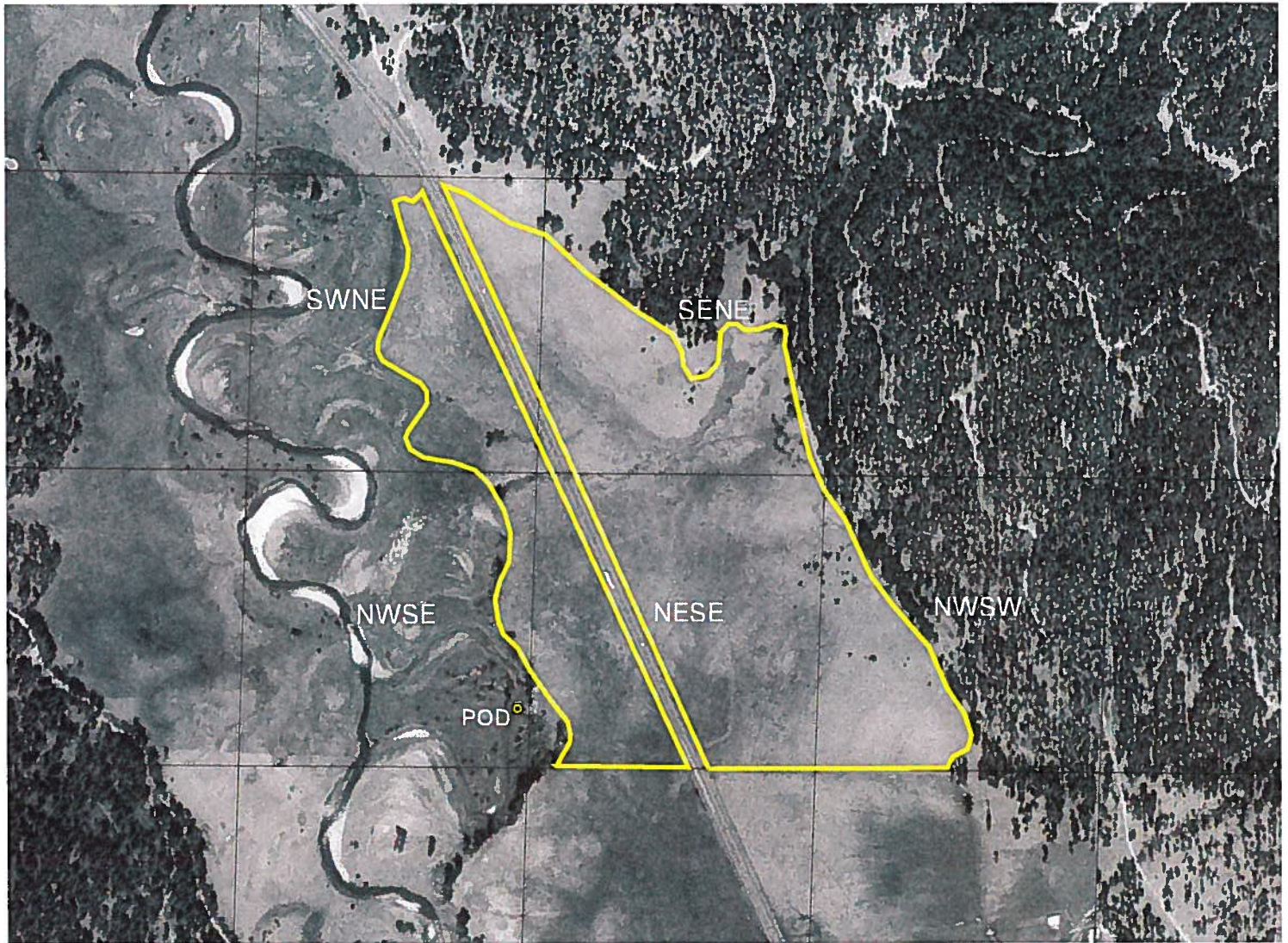
DATE: 11-29-06

SIGNATURE: Judd W. DeBoer, President

Please print your name: Judd W. DeBoer

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

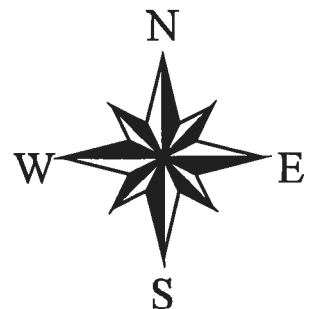
78-7000A



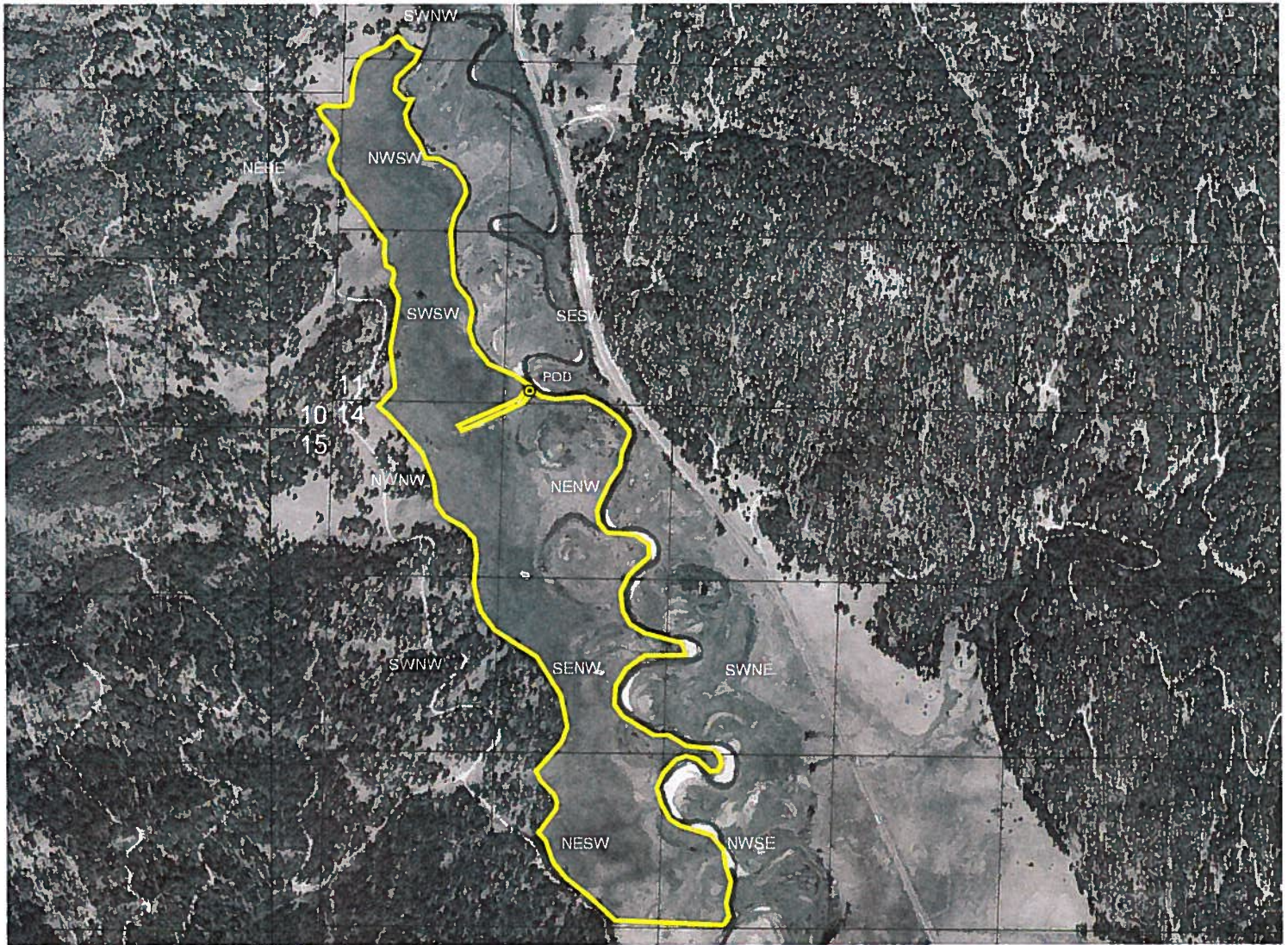
400 0 400 800 1200 1600 2000 2400 2800 Feet

T20N R01E S13 & S14

Map prepared by: Carter Fritschle
Date prepared: 09/20/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



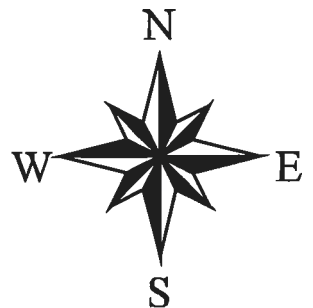
78-7000B



700 0 700 1400 2100 2800 3500 4200 4900 Feet

T20N R01E S10 S11 & S14

Map prepared by: Carter Fritschle
Date prepared: 09/20/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



09/21/2005

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

RIGHT NUMBER: 78-7000A

NAME AND ADDRESS: BROWNS INDUSTRIES INC
101 S CAPITOL BLVD
STE 1705
BOISE ID 83702

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.940 CFS
291.000 AFY

PRIORITY DATE: 09/25/1968

POINT OF DIVERSION:

T20N R01E S14 NWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/15 10/15

1.940 CFS
291.00 AFY

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 April 15 and after October 15 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 S13	NWSW	6.5	T20N R01E S14	NWNE	0.5
T20N R01E S14	SWNE	23.5	T20N R01E S14	SENE	20.0
T20N R01E S14	NESE	37.5	T20N R01E S14	NWSE	9.0

97 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

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

09/21/2005

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

RIGHT NUMBER: 78-7000B

NAME AND ADDRESS: BROWNS INDUSTRIES INC
101 S CAPITOL BLVD
STE 1705
BOISE ID 83702

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 3.180 CFS
477.000 AFY

PRIORITY DATE: 09/25/1968

POINT OF DIVERSION:

T20N R01E S11 SESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/15 10/15

3.180 CFS
477.00 AFY

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 April 15 and after October 15 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 S10	NESE	2.5	T20N R01E S11	SWNW	0.5
T20N R01E S11	NWSW	21.0	T20N R01E S11	SWSW	22.0
T20N R01E S11	SESW	2.0	T20N R01E S14	SWNE	1.5
T20N R01E S14	NENW	27.0	T20N R01E S14	NWNW	19.0
T20N R01E S14	SWNW	2.5	T20N R01E S14	SENW	25.5
T20N R01E S14	NESW	27.5	T20N R01E S14	NWSE	8.0

159 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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07000A

Priority: September 25, 1968

Maximum Diversion Rate:

1.94 CFS

Maximum Diversion Volume:

291.0 AF

This is to certify, that THE TRAVELERS INSURANCE CO
PO BOX 17480

DENVER CO 802170480

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 19, 1967; and has submitted Proof of Beneficial Use on October 25, 1972. An examination indicates that the works have a diversion capacity of 10.030 cfs of water from:

LITTLE SALMON RIVER

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	04/15 to 10/15	1.94 CFS	291.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 14, Township 20N, Range 01E
ADAMS 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>
20N	01E	13	NWSW 6.5			6.5
		14	NWNE 0.5	SWNE 23.5	SENE 20	
			NESE 37.5	NWSE 9		90.5

Total number of acres irrigated: 97

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 limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

MICROFILMED
MAY 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

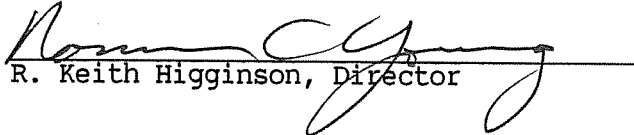
WATER RIGHT NO. 78-07000A

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of APRIL, 1993.

Acting for


R. Keith Higginson, Director

MICROFILMED
MAY 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07000B

Priority: September 25, 1968

Maximum Diversion Rate:

3.18 CFS

Maximum Diversion Volume:

477.0 AF

This is to certify, that THE TRAVELERS INSURANCE CO
PO BOX 17480
DENVER CO 802170480

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 19, 1967; and
has submitted Proof of Beneficial Use on October 25, 1972. An examination indicates
that the works have a diversion capacity of 6.680 cfs of water from:

LITTLE SALMON RIVER

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	04/15 to 10/15	3.18 CFS	477.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 11, Township 20N, Range 01E
ADAMS 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>
20N	01E	10	NESE 2.5			2.5
		11	SWNW 0.5	NWSW 21	SWSW 22	
			SESW 2			45.5
		14	SWNE 1.5	NENW 27	NWNW 19	
			SWNW 2.5	SENW 25.5	NESW 27.5	
			NWSE 8			111

Total number of acres irrigated: 159

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 limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

RECEIVED

MAY 21 1968

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07000B

CONDITIONS/REMARKS:

5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28th day of April, 19 93.

Acting for R. Keith Higginson, Director

RECEIVED
MAY 21 1993

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 78-7000A
Date Received: 6/6/1988
Receipt No:
Received By:

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

1. Name of Claimant(s)

BROWNS INDUSTRIES INC Phone: (208)342-7883
101 S CAPITOL BLVD
STE 1705
BOISE ID 83702

2. Date of Priority: 09/25/1968

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	Type
20N	01E	14	NW SE	ADAMS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	1.94	291

7. Total Quantity Appropriated is:
1.94 C.F.S. and/or 291 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
20N	01E	13	NW SW	IRRIGATION	6.5
				Section Acres	6.5
20N	01E	14	NW NE	IRRIGATION	0.5
			SW NE	IRRIGATION	23.5

SE	NE	IRRIGATION	20
NE	SE	IRRIGATION	37.5
NW	SE	IRRIGATION	9

Section Acres 90.5

Total Acres 97

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:

14. Remarks:

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

15. Basis of Claim: 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 78-7000B
Date Received: 6/6/1988
Receipt No:
Received By:

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

1. Name of Claimant(s)

BROWNS INDUSTRIES INC Phone: (208)342-7883
101 S CAPITOL BLVD
STE 1705
BOISE ID 83702

2. Date of Priority: 09/25/1968

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	Type
20N	01E	11	SE SW	ADAMS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	3.18	477

7. Total Quantity Appropriated is:
3.18 C.F.S. and/or 477 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
20N	01E	10	NE SE	IRRIGATION	2.5
				Section Acres	2.5
20N	01E	11	SW NW	IRRIGATION	0.5
			SE SW	IRRIGATION	2

			NW	SW	IRRIGATION	21
			SW	SW	IRRIGATION	22
					Section Acres	45.5
20N	01E	14	NW	NW	IRRIGATION	19
			SW	NW	IRRIGATION	2.5
			SE	NW	IRRIGATION	25.5
			NE	SW	IRRIGATION	27.5
			NW	SE	IRRIGATION	8
			SW	NE	IRRIGATION	1.5
			NE	NW	IRRIGATION	27
					Section Acres	111
					Total Acres	159

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:

14. Remarks:

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

15. Basis of Claim: 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 78-7000
Date Received: 6/6/1988
Receipt No: C001138
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BROWNS INDUSTRIES INC
101 S CAPITOL BLVD
SUITE 1705
BOISE ID USA 83702

Phone: (208) 342-7883

2. Date of Priority: 07/19/1967

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	Type
20N	01E	14	NW	SE		ADAMS	
20N	01E	14	NE	NW		ADAMS	

5. Description of diverting works:

PUMPS, DITCHES & PIPELINE. SEE EXHIBIT A.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/15	17	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
20N	01E	2	SE	SW		IRRIGATION	30
			SW	SE		IRRIGATION	20
			SE	SE		IRRIGATION	10
			Section Acres				
20N	01E	10	NE	NE		IRRIGATION	10
			SE	NE		IRRIGATION	15
			NE	SE		IRRIGATION	15
			SE	SE		IRRIGATION	5
Section Acres						45	
20N	01E	11	NW	NE		IRRIGATION	5
			SW	NE		IRRIGATION	20
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	35
			NW	SE		IRRIGATION	20
			SW	SE		IRRIGATION	30
			Section Acres				
20N	01E	13	NW	SW		IRRIGATION	15
20N	01E	14	NE	SW		IRRIGATION	35
			NW	SW		IRRIGATION	10
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			NE	NE		IRRIGATION	20
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	25
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	30
			SW	NW		IRRIGATION	20
			SE	NW		IRRIGATION	40
Section Acres						380	
Total Acres						850	

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:

14. Remarks:

Name change by DH 6/30/2003

REINSTATED 12-1-1972.

STOCK IS WATERED IN THE SAME 1/4 1/4 AS IRRIGATED LAND.

15. Basis of Claim: Permit

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

RECEIVED

MAY 27 2003

WATER RESOURCES
WESTERN REGION

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
78-7000A	78-7000	—			
78-7000B	78-7000	—			

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**.
 See copy of Warranty Deed and copy of current property tax bills.
- 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. Please see

your file for field exam in the early 1990's.

3. Name and Address of Former Owner/Claimant(s) Warren H. Brown
c/o Brown's Industries, Inc. Suite 1818
Brown's Industries, Inc.

4. New Owner/Claimant(s)

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

New Mailing Address 101 S. Capitol Blvd Suite 1705

City, State and ZIP Code Boise, Idaho 83702

New Telephone Number 208) 342-7883

5. Date you acquired the property 11-6-81

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	Description
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	Description
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) Joel W. Larson
(include title if applicable) President

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 <u>DH</u>	Date <u>5-27-03</u>	Fee <u>☒</u>
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

RECEIVED

MAY 27 2009

WATER RESOURCES
WESTERN REGION

FOR VALUE RECEIVED

WARREN H. BROWN and JAYNE BROWN,
husband and wife
of McCall, Idaho

the Grantor S, do hereby grant, bargain, sell and convey unto
BROWN'S INDUSTRIES, INC.
an Idaho corporation with its principle place of
business in Riggins, Idaho
the Grantee, whose address is Riggins, Idaho

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

PARCEL NO. I: ✓
SE 1/4 SW 1/4, S 1/2 SE 1/4 ✓ of Section 2
E 1/2 of E 1/2, Section 10 ✓
All of Section 11 ✓
NW 1/4 SW 1/4, Section 13 ✓
N 1/2 NE 1/4, Section 14; W 1/2 NW 1/4, Section 14; ✓
N 1/2 SW 1/4, Section 14; N 1/2 SE 1/4, Section 14; ✓
NE 1/4 NE 1/4, Section 15; Less Highway 95 Right-Of-Way
All in Township 20 North, Range 1 East, Boise Meridian.

S-15 not on
A78-7000

PARCEL NO. II:
The East Half of the Northwest Quarter (E 1/2 NW 1/4) and the
South Half of the Northeast Quarter (S 1/2 NE 1/4) of Section
Fourteen (14), Township Twenty (20) North, Range One (1) East
of Boise Meridian.

Plus any and all easements, rights-of-way and appurtenances
attached to the within described land but subject to such
easements as exist in favor of other parties.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
Its heirs and assigns forever. And the said Grantor S do hereby covenant to
and with the said Grantee, that they are the owners in fee simple of said premises; that
said premises are free from all encumbrances

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

Dated:

Warren H. Brown
WARREN H. BROWN

Jayne Brown
JAYNE BROWN

STATE OF IDAHO, COUNTY OF

On this 6th day of November, 1981,
before me, a notary public in and for said State, personally
appeared

WARREN H. BROWN and
JAYNE BROWN

known to me to be the person S whose name S are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Barbara J. Marmo
Notary Public

McCall

, Idaho

MAIL TAX NOTICE TO:

Name _____

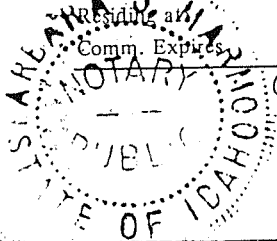
Address _____

City & State _____

Zip _____

MAIL DEED TO:

Capitol Title Company
BOISE, IDAHO



No. **63169**

WARRANTY DEED

Warren H. & Jayne Brown

- TO -

Brown's Industries, Inc.

DATED

19

STATE OF IDAHO

County of Adams

I hereby certify that this instrument was

filed for record at request of Adams

County Abstract

at 19 minutes past 11:00

o'clock A. M., this 10th day

of November, A.D. 1981

in my office, and duly recorded in Book 35M

of Deeds at page 104.

Esther Stover

Ex-Officio Recorder.

By *Pauline Brown* Deputy.

Fees, \$ 2.00

Capitol Title Company

BOISE, IDAHO

RECEIVED

MAY 27 2003

WATER RESOURCES
WESTERN REGION

Warren H. & Jayne Brown, husband and wife, do hereby certify that the above described premises are the property of the undersigned and that the same are being conveyed to the undersigned for the purpose of establishing a trust for the benefit of the undersigned and their heirs and assigns.

The undersigned do hereby certify that the above described premises are the property of the undersigned and that the same are being conveyed to the undersigned for the purpose of establishing a trust for the benefit of the undersigned and their heirs and assigns.

The undersigned do hereby certify that the above described premises are the property of the undersigned and that the same are being conveyed to the undersigned for the purpose of establishing a trust for the benefit of the undersigned and their heirs and assigns.

Warren H. Brown

Jayne Brown

Witness my hand and seal this 10th day of November, 1981.

Notary Public for Idaho

My commission expires November 1, 1982.

Notary Public for Idaho

Pauline Brown

Deputy

Notary Public for Idaho

My commission expires November 1, 1982.

Notary Public for Idaho

Pauline Brown

Deputy

Notary Public for Idaho

My commission expires November 1, 1982.

Capitol Title Company

MAKE CHECK PAYABLE TO:
ADAMS COUNTY TREASURER
P. O. BOX 47
COUNCIL, ID 83612
(208) 253-4263

2002 TAX BILL/RECEIPT

BILL# 6359 CODE AREA 12-00 L

PARCEL NUMBER
RP20N01E100100A
67,032

TAX	1ST HALF DUE	307.70	TAX	2ND HALF DUE	307.70	TAX	FULL DUE	615.40	TOT MV	67,032
LATE			LATE			LATE				
INT			INT			INT				
COST			COST			COST				
TOT			TOT			TOT			WAC	1.000
									TOT ACS	159.000

BROWN'S INDUSTRIES INC
101 S CAPITOL BLVD SUITE #1705
BOISE ID 83702

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.004959324	332.42
SCHOOL 11	.003797857	254.58
CEMETERY 1	.000054067	3.62
MEADOWS FIRE	.001394970	
MVP LIBRARY	.000369726	24.78
AMOUNT DUE	.010575944	615.40

T20N R1E SEC 10
E2NE4 E2SE4
160.00 AC

See attached deed

✓
NENE 10AC
SENE 15AC
NESE 15AC
SESE 5AC

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

TO PAY BY CREDIT CARD CALL OR ACCESS:
1-800-272-9829 OR WWW.OFFICIALPAYMENTS.COM

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

BROWN'S INDUSTRIES, INC

2002
6359

RECEIVED

MAY 27 2003

WATER RESOURCES
WESTERN REGION

MAKE CHECK PAYABLE TO:
ADAMS COUNTY TREASURER
P. O. BOX 47
COUNCIL, ID 83612
(208) 253-4263

2002 TAX BILL/RECEIPT

BILL# 6361 CODE AREA 12-00

PARCEL NUMBER
RP20N01E110060A
244,023
10,700

1ST HALF DUE
TAX 1,200.75
LATE
INT
COST
TOT

2ND HALF DUE
TAX 1,200.75
LATE
INT
COST
TOT

FULL DUE
TAX 2,401.50
LATE
INT
COST
TOT

TOT MV 254,723

WAC 18.000
TOT ACS 607.270

BROWN'S INDUSTRIES INC
101 S CAPITOL BLVD SUITE #1705
BOISE ID 83702

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.004959324	1,263.24
SCHOOL 11	.003797857	967.40
CEMETERY 1	.000054067	13.76
MEADOWS FIRE	.001394970	14.92
MVP LIBRARY	.000369726	94.18
DISTRICT TOTAL	.010575944	2,353.50
SOLID WASTE/RES		48.00
AMOUNT DUE		2,401.50

T20N R1E SEC 11
PT NW4 PT SW4
ALL SE4 ALL NE4
625.27 AC

Lee attached deed

- All NW claimed

- all but SE SW claimed

part - W 1/2 SE claimed

part - W 1/2 NE claimed

NESW 40 ac claimed

NWSW 40 ac

SWSW 35 ac

NWSE 20 ac

SWSE 30 ac

NWNE 5 ac

SWNE 20 ac

4490

HWY 95

*** IMPORTANT ***
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PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

BROWN'S INDUSTRIES, INC

2002
6361

RECEIVED

MAY 27 2003

WATER RESOURCES
WESTERN REGION

MAKE CHECK PAYABLE TO:
ADAMS COUNTY TREASURER
P. O. BOX 47
COUNCIL, ID 83612
(208) 253-4263

2002 TAX BILL/RECEIPT

PARCEL NUMBER
RP20N01E135400A
12,050

BILL# 6365 CODE AREA 12-00 L

1ST HALF DUE		2ND HALF DUE		FULL DUE		TOT MV	12,050
TAX	55.31	TAX	55.31	TAX	110.62		
LATE		LATE		LATE			
INT		INT		INT			
COST		COST		COST			
TOT		TOT		TOT		TOT ACS	40.000

BROWN'S INDUSTRIES INC
101 S CAPITOL BLVD SUITE #1705
BOISE ID 83702

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.004959324	59.76
SCHOOL 11	.003797857	45.76
CEMETERY 1	.000054067	.64
MEADOWS FIRE	.001394970	
MVP LIBRARY	.000369726	4.46
AMOUNT DUE	.010575944	110.62

T20N R1E SEC 13
NW4SW4
40.00 AC

See attached deed

15 Ac claimed

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BROWN'S INDUSTRIES, INC

2002
6365

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MAY 27 2003

WATER RESOURCES
WESTERN REGION

MAKE CHECK PAYABLE TO:
ADAMS COUNTY TREASURER
P. O. BOX 47
COUNCIL, ID 83612
(208) 253-4263

2002 TAX BILL/RECEIPT

BILL# 6369 CODE AREA 12-00 L

PARCEL NUMBER
RP20N01E140060A
205,214

1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	205,214
TAX 942.02	TAX 942.02	TAX 1,884.04		
LATE	LATE	LATE		
INT	INT	INT		
COST	COST	COST		
TOT	TOT	TOT	WAC 17.700	
			TOT ACS 451.660	

BROWN'S INDUSTRIES INC
101 S CAPITOL BLVD SUITE #1705
BOISE ID 83702

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.004959324	1,017.72
SCHOOL 11	.003797857	779.36
CEMETERY 1	.000054067	11.10
MEADOWS FIRE	.001394970	
MVP LIBRARY	.000369726	75.86
AMOUNT DUE	.010575944	1,884.04

T20N R1E SEC 14
PT N2 PT N2S2
469.36 AC

See attached deed

NESW 35 ac claimed
NWSW 10 ac
NESE 40 ac
NWSE 40 ac

N² →

NENE 20 ac claimed
NWNE 40 ac
SWNE 40 ac
SENE 25 ac
NENW 40 ac
NWNW 30 ac
SWNW 20 ac
SENW 40 ac

*** IMPORTANT ***
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BROWN'S INDUSTRIES, INC

2002
6369

RECEIVED

MAY 27 2003

WATER RESOURCES
WESTERN REGION

Subj: **RE: 78-7000A and B**
 Date: 02/18/2003 8:18:50 AM Mountain Standard Time
 From: SKEEN@idwr.state.id.us
 To: TMSCANLAN@aol.com
Sent from the Internet (Details)

RECEIVED

MAY 27 2003

WATER RESOURCES
WESTERN REGION

Terry,

The water right licenses are still in the name of Travelers Ins. Co. The file contains a letter from Travelers notifying IDWR that they no longer have an interest in the water rights, but at the time it was received we had no ownership change program for water rights. For water rights that have active claims in the SRBA, we normally route ownership change notices to the SRBA file. Our thinking is that there's very little incentive to complete the data entry on both SRBA and water rights records when the SRBA record will supersede the water right record eventually. When the claim is investigated in the SRBA, it will be recommended in the name of the current claimant - Warren Brown c/o Brown Industries -- as licensed -- 78-7000A and 78-7000B. If there is a compelling reason to have the ownership recorded properly on both SRBA and water rights records, we can do it if you submit an ownership change notice and explain the situation.

Shelley Keen
 Water Right Permits Section
 Idaho Dept. of Water Resources
 208-327-7946
skeen@idwr.state.id.us

-----Original Message-----

From: TMSCANLAN@aol.com [mailto:TMSCANLAN@aol.com]
Sent: Monday, February 17, 2003 2:36 PM
To: skeen@idwr.state.id.us
Subject: 78-7000A and B

Shelley -

The water right database for licenses 78-7000A and 78-7000B shows the current owner as Travelers Insurance Company. The property and water right is actually owned by Brown's Industries. Travelers had a mortgage on the property, but it was paid off in the mid 1990s.

The adjudication data base shows ownership by Warren Brown (now deceased), c/o Brown's Industries. One of the original owners listed is Travelers, suggesting that the adjudication database was corrected to show proper ownership after the mortgage was paid off. However, the claim is for 78-7000 (rather than 78-7000A and 78-7000B). The split right was created during licensing in the early 1990s.

A couple of questions. First, does the water right file show Warren Brown or Brown Industries as current owner. If it does, can the database be changed to reflect currently ownership. If not, what do we need to do (change of ownership)? Second, should the AJ claim be split to show the right as licensed, or will the AJ staff do that as part of the directors report?

Terry



Idaho Secretary of State Search Results

Search Result Summary

[[New Search](#)]

Search Results 1 through 1
(BROWN'S INDUSTRIES, INC. ... BROWN'S INDUSTRIES, INC.)

BROWN'S INDUSTRIES, INC.

Organizational ID / Filing number: C27671

Filed 21 Feb 1955

101 S. CAPITOL BLVD. STE 1705

CORPORATION

BOISE, ID 83702

GOODSTANDING

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

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MAY 27 2003

WATER RESOURCES
WESTERN REGION

05/21/03 11:38:37 AM

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MAY 27 2003
WATER RESOURCES
WESTERN REGION

IDSOS Document - Netscape
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Bookmarks Location: [ichForm_DocPrintStepViewDOCIDvalue=AREPORTS%23%23%23%2301348198&SearchFormSearchForm_DocPrintStepViewPAGENUMvalue=1](#) What's Related

Map Brundage

No. C 27671		Due no later than Feb 28, 2002		2 Registered Agent and Office NO PO BOX	
Annual Report Form		1 Mailing Address - (Required in the form if Applicable)		JUDD W DEBOER	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		BROWN'S INDUSTRIES, INC. JUDD W DEBOER 101 S. CAPITOL BLVD. STE 1705 BOISE, ID 83702		4553 KELCOON BOISE, ID 83702	
NO FILING FEE IF RECEIVED BY DUE DATE				3 New Registered Agent Signature	
4 Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
President	Judd W. DeBoer	101 S. Capitol Blvd #1705	Boise, Id	83702	
Secretary	Gary Hayslock	101 S. Capitol Blvd #1705	Boise, Id	83702	
Director	Judd W. DeBoer	101 S. Capitol Blvd #1705	Boise, Id	83702	
Director	Diane B. DeBoer	101 S. Capitol Blvd #1705	Boise, Id	83702	
5 Organization Under the Laws of IDAHO C 27671		6. Signature <i>Judd W. DeBoer</i> Name: Judd W. DeBoer Title: President		Date 12-12-01	
Issued 12/03/2001		Do Not Tape or Staple		2807	

Document: Done

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: A78-07000
Date Received: 6/06/1988 *ok*
Receipt No: C001138
Received By: *CH*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARREN H. BROWN
Address: C/O BROWN'S INDUSTRIES, INC.
101 S. CAPITOL BLVD.
SUITE 1818
BOISE, ID 83702
208-342-7883

2. Date of Priority: JUL 19, 1967

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	14	NE	NW			ADAMS
			NW	SE			ADAMS

5. Description of diverting works:
PUMPS, DITCHES & PIPELINE. SEE EXHIBIT A.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	17.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
UP TO 1000 HEAD CATTLE.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
20N	01E	2	SE		SW		IRR	30.0
			SW		SE		IRR	20.0
			SE		SE		IRR	10.0
			Section Acres					60.0
		10	NE		NE		IRR	10.0
			SE		NE		IRR	15.0
			NE		SE		IRR	15.0
			SE		SE		IRR	5.0
			Section Acres					45.0
		11	NW		NE		IRR	5.0
			SW		NE		IRR	20.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	35.0
			NW		SE		IRR	20.0
			SW		SE		IRR	30.0
			Section Acres					350.0
		13	NW		SW		IRR	15.0
			Section Acres					15.0
		14	NE		NE		IRR	20.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			NE		NW		IRR	40.0
			NW		NW		IRR	30.0
			SW		NW		IRR	20.0
			SE		NW		IRR	40.0
			NE		SW		IRR	35.0
			NW		SW		IRR	10.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			Section Acres					380.0
			Total Acres					850.0

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:

DECREED WTR. RT. SEE EXHIBIT B.

14. Remarks:

REINSTATED 12-1-1972.

STOCK IS WATERED IN THE SAME 1/4 1/4 AS IRRIGATED LAND.

15. Basis of Claim: PERMIT

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 Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title

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

Signature of Authorized Agent

Title and Organization

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 A78-07000

Date Received 6-6-88

Receipt Number C001138

Rec'd by CJ

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Warren H. Brown Phone (208) 342-7883
Mailing Address C/O Brown's Industries, Inc. 101 S.Capitol Blvd Suite 1818 Boise, Id 83702

2. Date of Priority (Only one (1) per claim) July 19, 1967

3. Source of water supply (a) Little Salmon River
which is tributary to (b) Salmon River & Columbia

4. a. Location of existing point of diversion is: Township 20N Range 1E Section 14,
NE 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of Adams

Additional points of diversion if any: NW1/4SE1/4, Section 14 T20N-R1E, B.M.

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,
Govt. Lot B.M., County of
ending point is: Township Range Section , 1/4 of 1/4 of
 1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
See Exhibit A

MICROFILMED
OCT 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from March 1 to November 15 amount 17 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 17 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2,125 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) up to 1,000 head of cattle _____

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	
20 N	1 E	2											30			20	10		60
		10	10			15								15			5		45
		11		5	20		40	40	40	40	40	40	35			20	30		350
		13										15							15
		14	20	40	40	25	40	30	20	40	35	10			40	40			380

Total number of acres irrigated 850

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.
See Exhibit B _____ or None ()

14. Remarks:

See Exhibit B

Stock is watered in the same 1/4 1/4 or irrigated
Land

MICROFILMED
OCT 06 1992

Last Name Brown, Warren Ident No. A 78-07000

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____ 78-7000
If applicable provide IDWR Water Right Number _____
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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) X Warren H Brown Date 6/3/88

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 _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of June 19 88

SEAL

Notary Public Gary Blaylock
Residing at Boise, Idaho

My Commission Expires 8-16-92

Please Print Name Gary Blaylock

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 _____

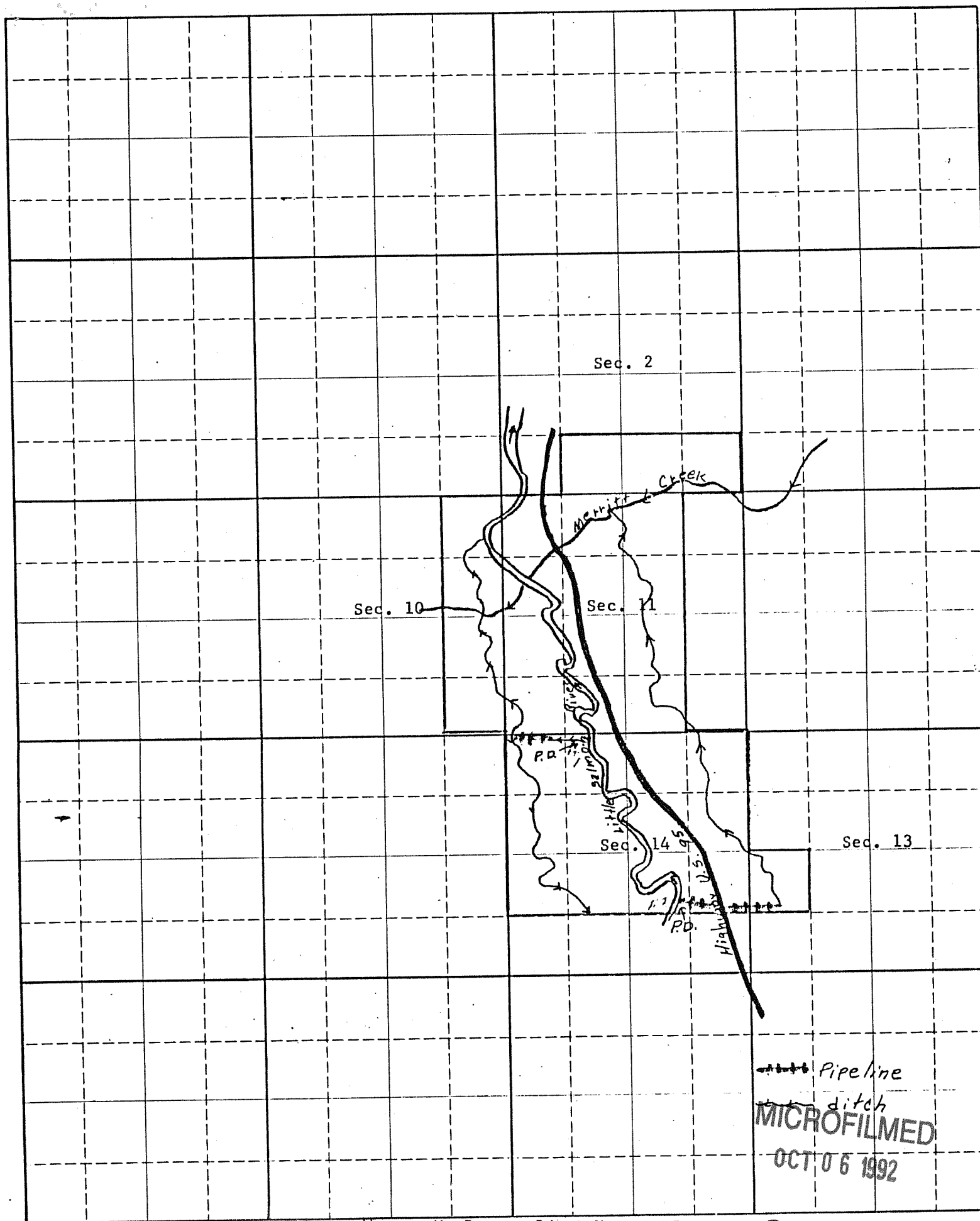
Date _____

Last Name Brown, Warren H. Ident. Number A78-0700

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Copies White-State, Yellow-Claimant

11. Map of proposed project:



Scale: 2 inches equal 1 mile

Warren H. Brown Ident No.: A78-07000

EXHIBIT A
Warren H. Brown
Permit Number 78-7000
Line 5, Page 1

a. Description of ditches, flumes, pumps, headgates, etc. Diversion # 1 consists of an open ditch located in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, T20N-R1E, extending from a point approximately 700 feet East from the NW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, extending westerly approximately 850 feet to the pump, in place since September 8, 1959; thence through 1100 feet of 12 inch steel coated pipe to the point of outfall, approximately 150 feet East from the NW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14; thence into open ditches as shown on the attached map and running both Northerly and Southerly.

Point of diversion # 2 which has been in place since September 7, 1961, and being located approximately 350 feet North and 150 feet West from the SE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, T20N-R1E, the pipeline from this point of diversion being a 16 inch steel coated and wrapped pipe; thence Southeasterly 800 feet to Highway No. U. S. 95; thence 680 feet Easterly to a point of outfall, thence 660 feet to the final point of outfall and into an open ditch running Northerly and Westerly as per attached map to the final point of outfall on Merritt Creek in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, T20N-R1E, B.M.

Open ditches being approximately 3 foot bottom, 6 feet deep with a 10 foot top, tapering and varying as per the volume of water along the course.

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A 78 -07000

EXHIBIT B

Warren H. Brown

Permit 78-7000

Lines 13 and 14 Page 2

13. Describe any other water rights used for the same purposes. There has been a decreed and recorded water right in Adams County, Council, Idaho, from Merritt Creek on the following subdivisions in the following amounts which have been developed in 1903 and used consistently from that time on. Section 2, SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 30 ac., SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 20 ac., SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 10 ac; Section 10, NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 5 ac.; Section 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 5 ac., SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 20 ac., NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 ac., NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 ac., SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 20 ac., SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 ac; for a total of 230 acres. It should be understood that all of the application for water from Merritt Creek as now used since 1903 and which is again applied for at this time on these same subdivisions would be only supplemental.

14. Remarks It is particularly noted and should be recorded here that all of those lands in the descriptions above from Merritt Creek have been continuously used since 1903 and have irrigated the lands included and described hereinbefore.

That area on the East side of the Little Salmon River is pumped by 100 horsepower General Electric motor to a maximum lift of some 70 feet and will produce 540 inches (10.8 cfs) from a point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, installed September 7, 1961.

That point of diversion located in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, and going westerly from the Little Salmon River is pumped by a 25 horsepower motor with a 45 foot lift and will produce 310 miners inches (6.2 cfs). This installation was made September 8, 1959.

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A 78-07000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 30, 2003

BROWN'S INDUSTRIES INC
101 S CAPITOL BLVD, SUITE 1705
BOISE ID 83702

Re: Notice of Claim to a Water Right No. 78-7000

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

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

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure



May 21, 2003

Shelley Keen
IDWR Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

MAY 27 2003

WATER RESOURCES
WESTERN REGION

Dear Mr. Keen:

Attached is a notice of change in water right ownership for water rights 78-7000A and 78-7000B changing the owner from Warren H. Brown to Brown's Industries, Inc. Brown's Industries, Inc. is working with Terry Scanlan and is considering placing one or both of the water rights in the State Water Bank and need the correct owner (Brown's Industries, Inc.) listed on both water rights. Please call Gary Blaylock or me at 342-7883 or Terry Scanlan at 383-4140 if you have any questions.

Sincerely,

Judd W. DeBoer
President

Cc: Terry Scanlan

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE
STATE OF IDAHO

RECEIVED
JAN 29 1993

Department of Water Resources
Western Regional Office

IN THE MATTER OF PERMIT)
NO. 78-7000 IN THE NAME OF)
THE TRAVELERS INSURANCE CO.)

ORDER OF REINSTATEMENT

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 78-7000 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 78-7000 to appropriate the public waters of the State of Idaho with a proposed priority of SEPTEMBER 11, 1967.

2. On APRIL 10, 1987 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on JUNE 09, 1987.

3. The license examination fee was not paid within one year of the date, and the permit lapsed for failure to pay the license examination fee.

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AUG 08 1994

4. The license examination fee was received on
JUNE 23, 1988, 379 day(s) late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 78-7000 should be advanced 379 day(s).

ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 78-7000 is reinstated.

IT IS FURTHER ORDERED that the date of priority of Permit No. 78-7000 is advanced to SEPTEMBER 25, 1968.

Dated this 25th day of January, 1993.


Chief, Water Allocation Bureau

FILE: A78-07000

Form 219-S.A.
Supplement
6-9-9078-07000
Permit No.

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER Steve Lester DATE SUBMITTED 9/17/90
 ADJUDICATION AGENT " RESPONSE DUE DATE 9/17/90
 COUNTY Adams OWNER'S NAME WARREN BROWN
Browns INDUSTRIES INC
Travelers Insurance Co

PERMIT DATA	T	R	S	Q/Q	T	R	S	Q/Q
P/D	<u>20N</u>	<u>1E</u>	<u>14</u>	<u>NGNW</u> <u>NWSE</u>				
P/U	<u>20N</u>	<u>1E</u>	<u>2, 10, 11,</u> <u>13, 14</u>					

ADJUDICATION DATA RELATING TO THIS PERMIT NUMBER

A. Check Permit Number for Adjudication Claim Filing

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

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

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

Claims found requiring exam	Date field exam conducted	Exam data is in, Permit file	Attached
-----------------------------	---------------------------	------------------------------	----------

A78-07000 Adj No.	<u>9/19/90</u>	☒	☐
Adj No.		☐	☐
Adj No.		☐	☐

* copies included only if pertinent to permit field exam

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CONVERSATION MEMORANDUM

DATE 10/23/90
FILE 78-07000NAME OF PARTY Judd DeBoer & Gary Blaylock
EMPLOYEE Steve LesterRE: EXPEDITED LICENSING

The request for expedited licensing was made during an office visit today by Mr. DeBoer & Mr. Blaylock. They are concerned about forfeiture on the land east of the river (shown as part A on ASOS photo).

I told them that we will try to license the permit a.s.a.p. to allow them to file "Req. for Time to Adv. Forfeiture" on part A.

They also mentioned that no flow measurement records were kept on pumps or on flowmeter associated with pump #1.

We discussed a possible SRBA filing on unnamed stream (aka Merritt Ck) for ≥ 130 acres in S. 2, 10, 11 T20N R1E. This is part of the same land in A78-07000 & would therefore have no acreage change for overlapping acre.

BROWN'S INDUSTRIES, INC.

Judd W. DeBoer
President101 S. Capitol Blvd., Suite 1818
Boise, Idaho 83702Telephone:
(208) 342-7883

BROWN'S INDUSTRIES, INC.

Gary Blaylock

101 S. Capitol Blvd., Suite 1818
Boise, Idaho 83702Telephone:
(208) 342-7883MICROFILMED
OCT 06 1992

CC: A78-07000