

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

RIGHT NUMBER: 77-2035

NAME AND ADDRESS: EIGUREN RANCH INC
PO BOX 732
CASCADE ID 83611

SOURCE: PARKS CREEK

TRIBUTARY: EAST FORK SOUTH FORK
SALMON RIVER

QUANTITY: ~~0.180 CFS~~ .32 CFS

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 11/20/1919

POINT OF DIVERSION:

T19N R08E S19 SWSW Lot 4 Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	~~0.160 CFS~~ .30 CFS

PLACE OF USE: IRRIGATION in VALLEY County

T19N R07E S25	SWNW	8.00
	NWSW	8.00

DOMESTIC in VALLEY County

T19N R07E S25	SWNW
---------------	------

16 ACRES TOTAL

Not to exceed 8 acres of irrigation in the NWSW when combined with 77-2205.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic use is not
a determination of historical beneficial use.

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

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: A77-02035
Date Received: 9/21/1988
Receipt No: W956
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN B. EIGUREN 208-343-0483
Address: PO BOX 3238
BOISE, ID 83703

OR

Name: TERRY J. EIGUREN 208-343-1998
Address: 5430 TURRET WAY
BOISE, ID 83703

OR

Name: TOM M. EIGUREN 208-343-1998
Address: 5430 TURRET WAY
BOISE, ID 83703

2. Date of Priority: NOV 20, 1919

3. Source: PARKS CREEK Trib. to: SALMON RIVER, E. FK. OF S.

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	08E	19	SW	SW			VALLEY

5. Description of diverting works:
HEADGATE & BOX W/PIPELINE TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 32.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ONE HOME

A77-02035

Page 1

Date: 09/22/88

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	07E	25	SW	NW		IRR	8.0
			NW	SW		IRR	8.0
Section Acres							16.0
Total Acres							16.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
A77-02205

14. Remarks:
OVERLAPPING ACREAGE OF 8 ACRES. A FEE OF \$58.00 CHARGED ON THIS CLAIM BECAUSE THE ADDITIONAL ACREAGE FEE WILL BE CHARGED ON WR# A77-02205.

15. Basis of Claim: LICENSE
Water Right Number: 14419

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: 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): *John B. Berman* Date: 22 Sep 88
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22nd day

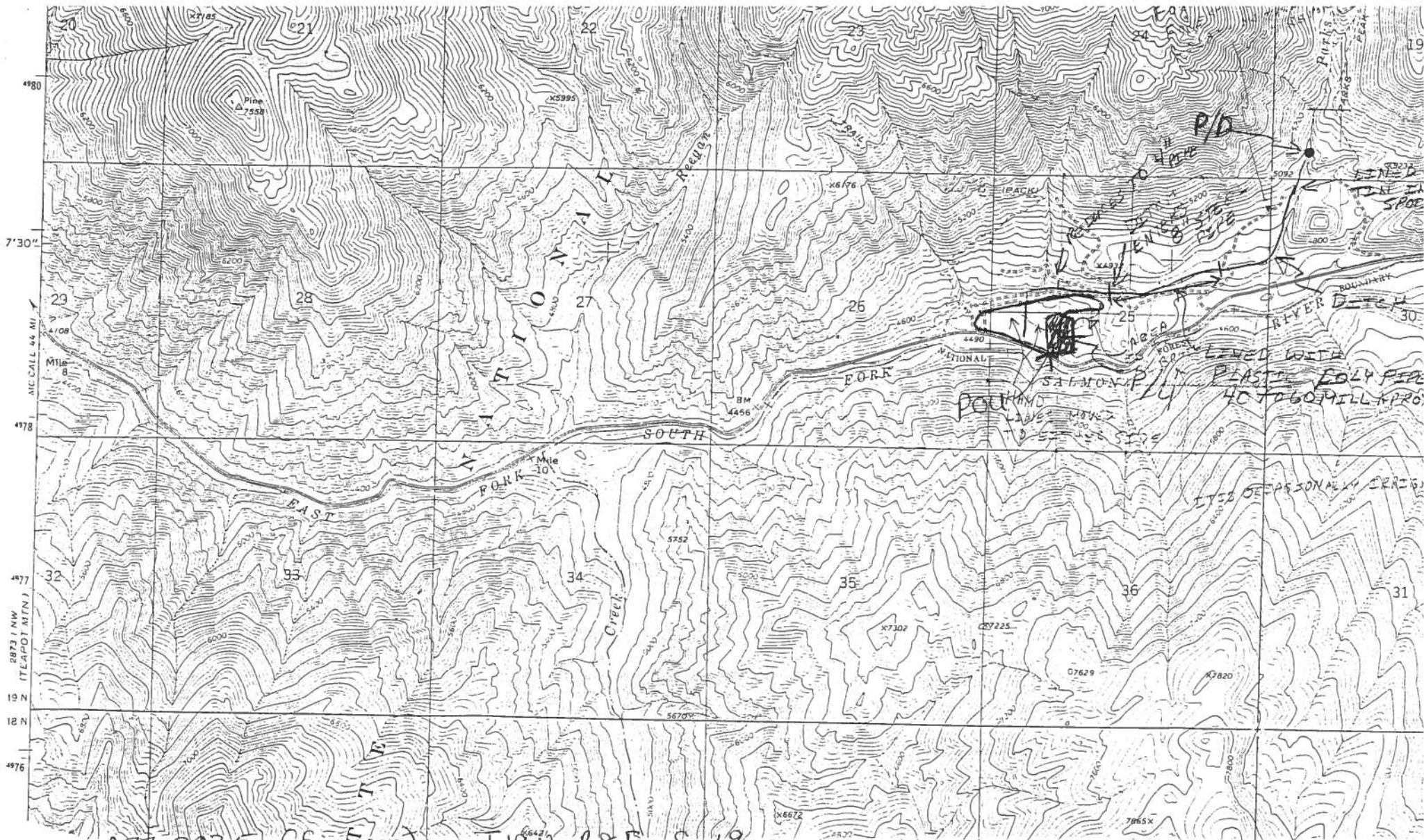
of Sept 19 88

Eldon J. Housh
Notary Public

Seal

Residing at Bose

My Commission Expires 09/08/1998



A77-2035 (Eigüren) T19N, R8E, S.19

State of Idaho

License and Certificate of Water Right

Water License No. 14419

Amount 0.32 sec. ft.

Water District No.

Priority 11-20-1919

THIS IS TO CERTIFY that Lewis C. Merrill of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 20, 1919; that Permit No. 14419 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.61 second feet, was issued thereunder on March 20, 1922, showing that said works were completed on the 17th day of March, 1922; and that on the 20th day of April, 1927,

Lewis C. Merrill

of Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Parks Creek, a tributary of Salmon River, for the purpose of irrigation and domestic use, under Use Permit No. 14419 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3529, on the 15th day of August, 1928;

The right hereby confirmed dates from November 20, 1919;

The Point of Diversion is located in the SW 1/4 SW 1/4, Sec. 19, Tp. 19 N., R. 8 E., B.M., Valley County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.32 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
19 N.	7 E.	25	SW 1/4 NW 1/4	25	8
			NW 1/4 SW 1/4	20	8

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

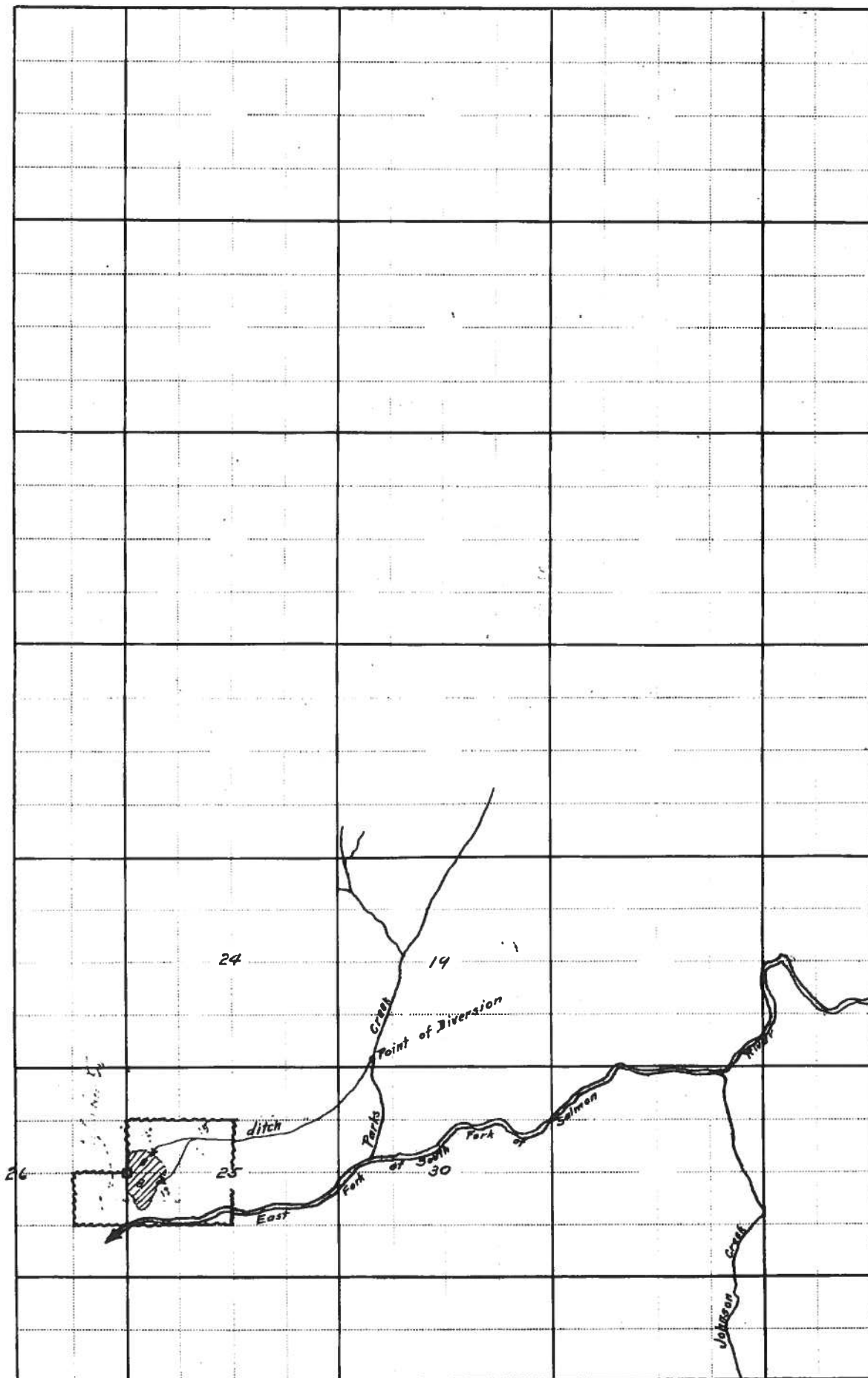
WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 15th day of August, 1928.

GEO. N. CARTER

Commissioner of Reclamation

(SEAL)

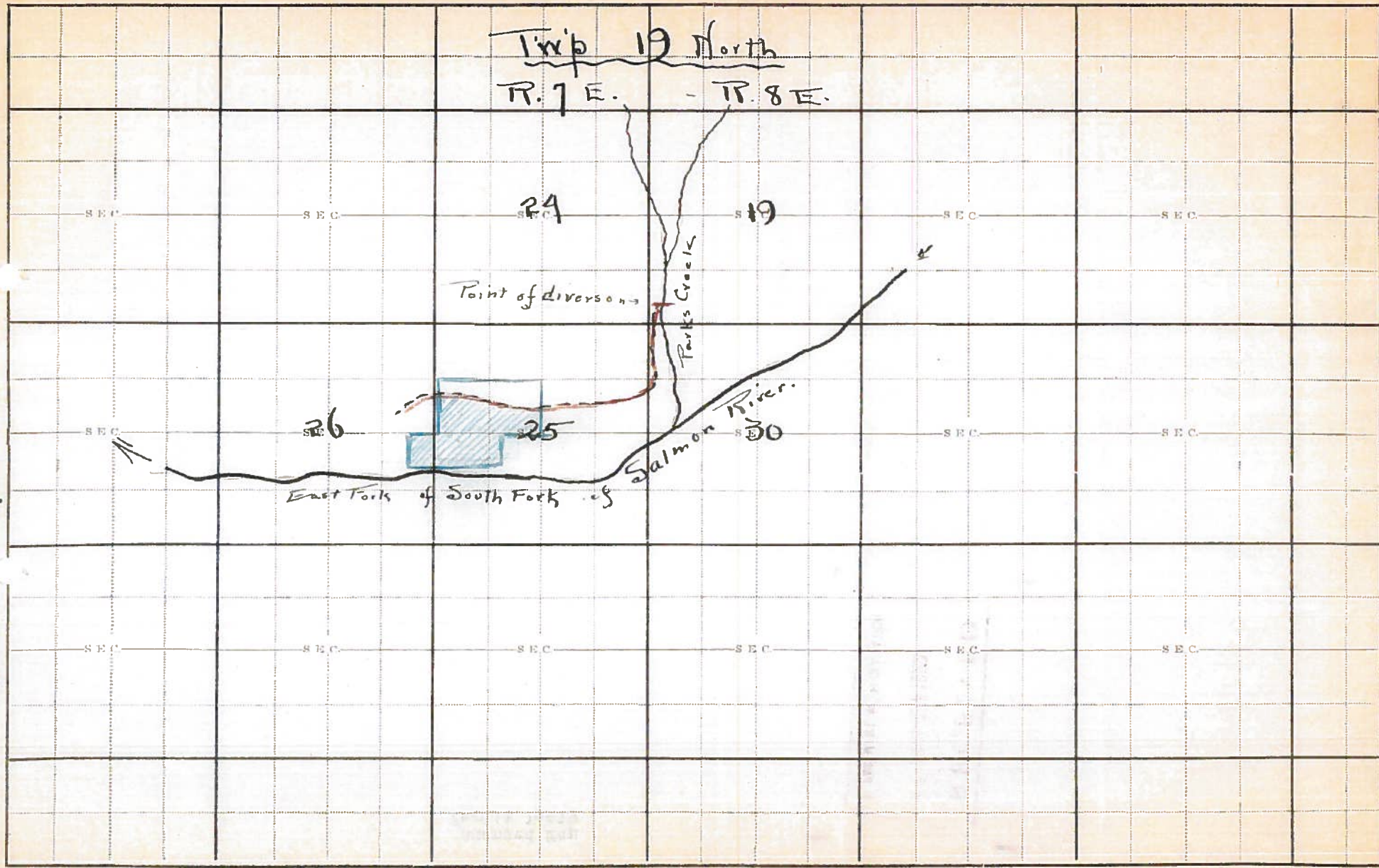
77 2035



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

14419

NAME OF APPLICANT W. A. McFarrell



A77-02035

77-02205
Permit No.

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

*Answers
Pending
Claim
Review*

EXAMINER SL DATE SUBMITTED 7/30/91
ADJUDICATION AGENT _____ RESPONSE DUE DATE _____
COUNTY Upileg OWNER'S NAME E. Igueren

PERMIT DATA	T	R	S	Q/Q	T	R	S	Q/Q
P/D	_____	_____	_____	_____	_____	_____	_____	_____
P/U	_____	_____	_____	_____	_____	_____	_____	_____

ADJUDICATION DATA RELATING TO THIS PERMIT NUMBER

A/Su 77-02035
(same pld)

A. Check Permit Number for Adjudication Claim Filing

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

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

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

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

<u>A77-02205</u> Adj No.	<u>7-27-88</u> *	☒	☐
<u>A77-02035</u> Adj No.	<u>"</u>	☐	☐
_____ Adj No.	_____	☐	☐

← No exam needed
A77-02035, same
P/D as A77-02205.

* copies included only if pertinent to permit field exam

For A77-02035:
P/d, P/u, # rows,
rate of flow
confirmed. Not sure
about domestic use

* completed with 2nd site visit on 8/2/91 - use 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 25, 1989

Larry L. and Linda J. Welch
510 South Boise Avenue
Emmett, ID. 83617

Dear Mr. and Mrs. Welch,

On January 18, 1989, a letter was sent to you stating that an application for permit needed to be filed rather than the Notice of Claim originally filed. This letter was in error since your water use is tributary to the Salmon River drainage rather than the Payette River drainage which are both included in Valley County. Any use tributary to the Payette River, with no previous filing has been advised to file an Application for Permit. The uses tributary to the Salmon River are not under this same criteria. Therefore, your claim has been processed and a computer generated copy is enclosed.

One other item to mention concerns earlier filings made for the same legal description and source as that listed on your claim. These filings cover approximately 62 acres of irrigation and five homes. Mr. and Mrs. Eiguren have informed us that your home is one of these five listed on their two rights. If your home has used water under these rights since 1916 or 1966, then this right is already covered by the Eiguren's claims, and no other filing is needed. Enclosed are copies of these two claims. These rights are appurtenant to the land and whoever owns the property, then owns the water right regardless of whose name is on the right. If you would like to withdraw your claim, your fee can be refunded. If you decide to keep your claim on file, no further correspondence is needed.

We are sorry for the inconvenience our error concerning your claim may have caused and if we can assist you in the future, please feel free to contact this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 17, 1989

Terry J. Eiguren
5430 Turret Way
Boise, ID. 83703

Dear Terry,

This letter is to request you call me at your earliest convenience concerning your Whisker and Parks Creek rights.

I have tried to contact you by phone, but have been unable to reach you.

Sincerely,

A handwritten signature in cursive script that reads "Jan Shurte".

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh

not to exceed ^{in the NW SW} 8 acres of
irrigation when combined
with 77-2205

COPY

RECEIVED

SEP 14 2006

DEPARTMENT OF
WATER RESOURCES

WILLIAM D. COLLINS
Idaho State Bar No. 1054
WESTBERG, McCABE & COLLINS, CTD.
ATTORNEYS & COUNSELORS AT LAW
516 WEST FRANKLIN STREET
P.O. BOX 2836
BOISE, IDAHO 83701-2836
FACSIMILE: (208) 336-2121
TELEPHONE: (208) 336-5200
Attorneys for Eiguren Ranch, Inc.

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

In Re SRBA	)	A. Subcase 77-02035
	)	
Case No. 39576	)	MOTION TO FILE LATE OBJECTION
_____	)	

COMES NOW, WILLIAM D. COLLINS of the firm Westberg, McCabe & Collins, and hereby moves the Court to permit the filing of a late objection to the Director's report for Water Right No. 77-02035.

Your movant understands that the deadline for filing of an objection was some time in July. Your movant became aware in August, 2006, in doing a routine check of the owner of the water rights claims that the Director's report had been issued. The error is a clerical one. Your movant contacted the Department of Water Resources by mail August 4, 2006, and called attention to the error. Your movant has been advised by the Department even though the error is a clerical one, your movant should file a formal objection.

Request is therefor made for permission from the Court to file the original of the late

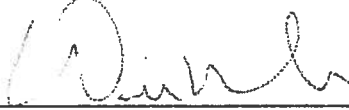
objection. A copy of the late objection is attached as Exhibit A.

In summation, the objection asserts that eight acres of land should have been shown as having been irrigated in the NW¼SW¼, Sec. 19, T.19N., R.8E. This water right is based upon a license for a permit issued November 20, 1919. The report of the State Reclamation Engineer of July 4, 1928, showed this eight acres as having been irrigated. The Department of Water Resources, on a companion right, No. 77-02205, on their field check also showed this eight acres as having been irrigated. Therefore, the failure of the Department to show this eight acres as having been irrigated for Water Right No. 77-02035 is simply a clerical error.

Oral argument on this Motion is requested.

DATED this 12 day of September, 2006

WESTBERG, MCCABE & COLLINS, CTD.

By 

William D. Collins
Attorneys for Eiguren Ranch, Inc.

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing document was mailed, postage prepaid, to the following on this 13 day of September, 2006:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

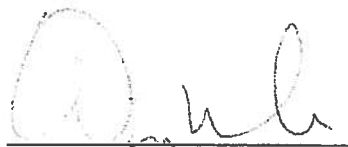
Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort Street, MSC 033
Boise, Idaho 83724

Chief, Natural Resources Division
Office of Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

Terry J. Eiguren
Eiguren Ranch, Inc.
P.O. Box 732
Cascade, Idaho 83611

A handwritten signature in dark ink, appearing to read 'W.D. Collins', is written over a horizontal line.

William D. Collins

In Re SRBA) A. Subcase 77-02035
) (Insert water right number)
Case No. 39576)
_____)

**STANDARD FORM 1
OBJECTION**

EXHIBIT A -1

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ Name and Address
Should be: Eiguren Ranch, Inc., P.O. Box 732,
Cascade, Idaho 83611
2. ☐ Source
Should be: _____
3. ☒ Quantity
Should be: 0.36 cfs *licensed
0.32 cfs 16 acres*
4. ☐ Priority Date
Should be: _____
5. ☐ Point of Diversion
Should be: _____
6. ☐ Instream Flow Beginning and Ending Point
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☒ Place of Use
Should be: 8 Ac. SW1/4NW1/4 and 8 Ac. NW1/4SW1/4
10. ☐ I object because:
☐ This water right Should not exist.
☐ This water right was not recommended, but Should be recommended with the elements described above.

*77-2205
overlapp
del
claim*

E. REASONS SUPPORTING OBJECTIONS(S): Clerical errors. See License (14419/77-02035) and Directors Report on 77-02205. Report of Engineer of 7-4-1928 on Permit No. 14419 shows 8 Ac. irrigated in NW1/4SW1/4. Directors Report on 77-02205 shows 10 Ac. irrigated in NW1/4SW1/4. The Directors Report for this water right, 77-02035, shows no irrigation in NW1/4SW1/4 and should have.

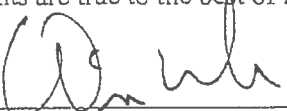
F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

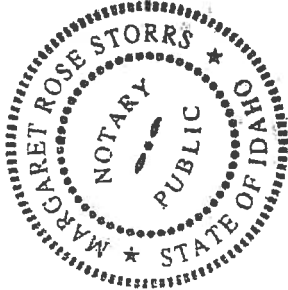
WILLIAM D. COLLINS, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

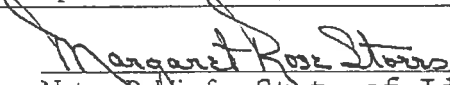
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 13, 2006.




Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 05/14/2010

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on September 13, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Terry J. Eiguren
Name: Eiguren Ranch, Inc.
Address: P.O. Box 732
Cascade, ID 83611

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf
William D. Collins

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

03/05/2007

WATER RIGHT NO. 77-2205

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EIGUREN RANCH INC PO BOX 732 CASCADE, ID 83611
Original Owner	JULIO JAMES EIGUREN 7964 CAMAS EMMETT, ID 83617

Priority Date: 04/26/1966

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
PARKS CREEK	EAST FORK SOUTH FORK SALMON RIVER
WHISKEY CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.84 CFS	60 AFA
STOCKWATER	01/01	12/31	0.01 CFS	0.1 AFA
DOMESTIC	01/01	12/31	0.04 CFS	1.2 AFA
Total Diversion			0.94 CFS	

Location of Point(s) of Diversion:

WHISKEY CREEK	SENE	Sec. 26	Township 19N	Range 07E	VALLEY County
PARKS CREEK	SWSW Lt 4	Sec. 19	Township 19N	Range 08E	VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	07E	25		SEnw	8									
				Nwsw	10									
		26		NESE	2									

Place of Use Legal Description: STOCKWATER VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	07E	25		SEnw										
				Nwsw										
		26		NESE										

Place of Use Legal Description: DOMESTIC VALLEY County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	07E	25		SEnw										
		26		NESE										

Total Acres: 20

Conditions of Approval:

1. C18 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.
2. R29 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.
3. Unnamed stream is locally known as Whiskey Creek. Stockwater use is for 10 horses.
4. The rate of diversion of 0.94 cfs includes allowance for conveyance losses from the source to the place of use. The rate of diversion to the place of use shall not exceed 0.40 cfs.
5. Domestic use is for 2 homes.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)

04/04/2005

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

RIGHT NUMBER: 77-2035

NAME AND ADDRESS: JOHN B EIGUREN
PO BOX 3238
BOISE ID 83703

TERRY J EIGUREN
5430 TURRET WAY
BOISE ID 83703

TOM M EIGUREN
5430 TURRET WAY
BOISE ID 83703

SOURCE: PARKS CREEK TRIBUTARY: EAST FORK SOUTH FORK
SALMON RIVER

QUANTITY: 0.180 CFS
The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 11/20/1919

POINT OF DIVERSION:
T19N R08E S19 SWSW Lot 4 Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.160 CFS

PLACE OF USE: DOMESTIC Within VALLEY County
T19N R07E S25 SWNW
IRRIGATION Within VALLEY County
T19N R07E S25 SWNW 8.0

16 ACRES TOTAL

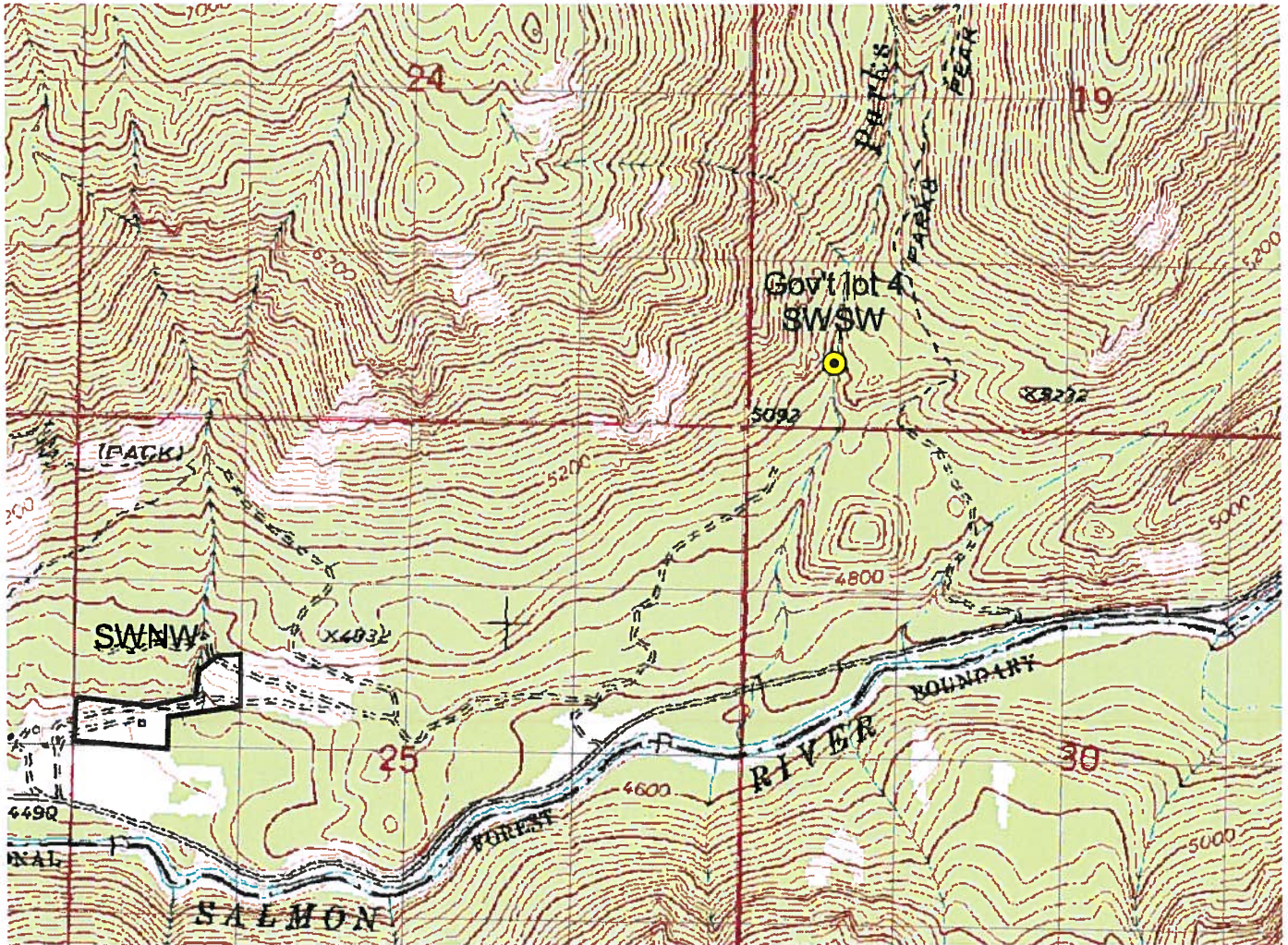
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: License

77-2035



0 700 1400 Feet

Sections 25
T19N R7E
Section 19
T19N R8E



● Point of Diversion

□ Place of Use

Map prepared on April 4, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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

ADDRESS SERVICE
REQUESTED



77-2035
77-2205

RECEIVED
JAN 8 2006
DEPARTMENT OF
WATER RESOURCES

JOHN B EIGUREN
PO BOX 3238
BOISE ID 83703

FIRST CLASS





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 3, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

WILLIAM D COLLINS
WESTBERG MCCABE & COLLINS CTD
PO BOX 2836
BOISE ID 83701-2836

Re: Water Right Nos. 77-2035 and 77-2205

Dear Mr. Collins:

This letter acknowledges receipt of the ownership changes for the above referenced water rights. As you correctly noted, both rights have been reported to the Court in the Snake River Basin Adjudication but have not yet been decreed.

Filing fees are waived for ownership changes involving water rights pending in an adjudication. The \$50 check has therefore been returned as enclosed.

Processing of the ownership changes will continue. Please contact this office if you need additional information in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure: Check No. 27426

WESTBERG, McCABE & COLLINS, CTD.

ATTORNEYS & COUNSELORS AT LAW
516 WEST FRANKLIN STREET
P.O. BOX 2836
BOISE, IDAHO 83701-2836

PAUL L. WESTBERG
THOMAS J. McCABE
WILLIAM D. COLLINS
CHRISTIAN D. COLLINS

August 2, 2006

RECEIVED

AUG 02 2006

WATER RESOURCES
WESTERN REGION

FAX
(208) 336-2121

TELEPHONE
(208) 336-5200

HAND DELIVERED

ID Dept. Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Water Right Nos. A77-2035 and A77-02205

Dear Sir or Madam:

I am enclosing with this letter two Notices of Change of Water Right Ownership for the above water rights. The names of the former owner and the new owner are identical in each case.

As I understand, a Director's Report for both water rights has been filed; however, as I understand, a partial decree has not been entered on either water right. I am not certain of the filing fee and, therefore, have enclosed the sum of \$50.00, \$25.00 for each notice. If no filing fee is charged, you can return the funds back to me.

Very truly yours,

WESTBERG, McCABE & COLLINS, CTD.

A handwritten signature in blue ink that reads "Wm. D. Collins" with a small "mrs" written below the name.

William D. Collins

WDC:mrs
enclosures
cc: Eiguren Ranch, Inc.

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

RECEIVED**AUG 02 2006****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
14419	A77-2035				

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**.

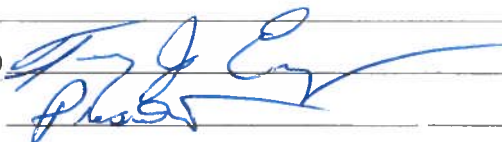
3. Name and Address of Former Owner/Claimant(s) John B. Eiguren, Terry J. Eiguren & Tom M. Eiguren
P.O. Box 732, Cascade, ID 83611
4. New Owner/Claimant(s) Eiguren Ranch, Inc.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 732
- City, State and ZIP Code Cascade, ID 83611
- New Telephone Number 208) 382-5400
5. Date you acquired the property June 19, 1991

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

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

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

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



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>RL</u>	Date <u>8/2/06</u>	Fee <u>N/A</u>	
Receipted by _____	Date _____	Receipt No. _____	
Processed by _____ AJ	Date _____	WR _____	Date _____

QUITCLAIM DEED

FOR VALUE RECEIVED, TERRY J. EIGUREN, JOHN B. EIGUREN, and THOMAS J. EIGUREN, dealing with their sole and separate properties, do hereby convey, release, remise and forever quitclaim unto

EIGUREN RANCH, INC.

whose current address is: c/o

the following described premises, situate in Valley County, Idaho:

The S $\frac{1}{2}$ of the NW $\frac{1}{4}$; the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; and the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; all in Section 25; The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 26; all in Twp. 19 N., R. 7 E., B.M.

EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED PARCELS:

- A. A tract of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T. 19 N., R. 7 E., B.M., and more particularly described as follows: Starting 152 feet North of the SE corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T. 19 N., R. 7 E., B.M., run thence N.86°23'W. 209.5 feet to the TRUE POINT OF BEGINNING; thence N.86°23'W. 209.5 feet; thence North 209 feet; thence S.86°23'E. 209.5 feet; thence South 209 feet to the true point of beginning.
- B. A tract of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T. 19 N., R. 7 E., B.M., and more particularly described as follows: Starting at the NW corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T. 19 N., R. 7 E., B.M., run N.89°47'E. 209.5 feet; thence S.0°01'E. 419 feet; thence S.89°47'W. 209.5 feet; thence N.0°01'W. 419 feet to the true point of beginning.
- C. A tract of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T. 19 N., R. 7 E., B.M., and more particularly described as follows: Starting 152 feet North of the SE corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T. 19 N., R. 7 E., B.M., run thence N.86°23'W. 209.5 feet; thence North 209 feet; thence S.86°23'E. 209.5 feet; thence South 209 feet to the true point of beginning.
- D. A tract of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T. 19 N., R. 7 E., B.M., and more particularly described as follows: Starting 320 feet West (on $\frac{1}{2}$ section line) from $\frac{1}{2}$ corner common to Sections 25 and 26, T. 19 N., R. 7 E., B.M., Valley County, Idaho; run South 345 feet to the North side of the U.S.F.S. road right of way; thence

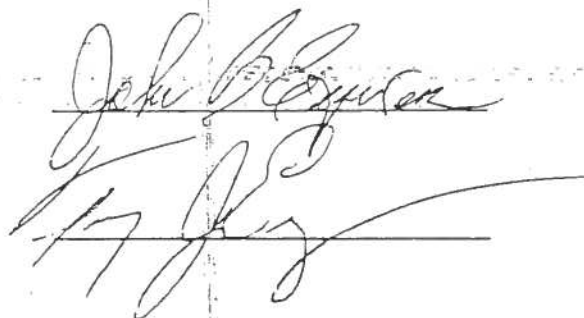
S.73°21'W. along said right of way 354.9 feet, more or less to the West line of the NE¼NE¼SE¼, Section 26, T. 19 N., R. 7 E., B.M., thence North 450 feet; thence East 340 feet to the true point of beginning.

Including all water and ditch rights appurtenant to or used for the benefit of said described premises, and including any easements or rights of ways appurtenant to or used for the benefit of, or dedicated to said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

together with appurtenances.

DATED this 12th day of June, 1991.





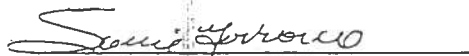
STATE OF IDAHO)
) ss.
County of Gem)

On this 12th day of June, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared John B. Eiguren known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Quitclaim Deed


Notary Public for State of Idaho
Residing at Emmett, Idaho.

STATE OF IDAHO)

County of Ada)

ss.

On this 2 day of July, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared Terry J. Elguren known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Lola Davis

Notary Public for State of Idaho

Residing at Boise, Idaho.

NEW JERSEY

STATE OF ~~NEW JERSEY~~)

County of OCEAN)

ss.

On this 10 day of July, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas J. Elguren known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Diane M. Gavin

Notary Public for State of ~~NEW JERSEY~~ NEW JERSEY

Residing at FORKED RIVER, ~~NEW JERSEY~~ NJ

DIANE M. GAVIN
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires June 7, 1992

Quitclaim Deed

JUL 30 1 20 PM '91
BY Dee L. Davis
V. L. Davis
FEE: 9.00

REQUESTED BY: Dee L. Davis
RECORDED BY: Dee L. Davis

161797

