

01/05/2006

**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: March 3, 2006

Water right number: 77-4051

B-C-RANCH, LLC
2498 ROAD S N.E.
MOSES LAKE WA 98837

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

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

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

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

DATE: 2.28.06 SIGNATURE: B. FRIEHE

Please print your name: B. FRIEHE

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

11/21/2005

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

RIGHT NUMBER: 77-4051

NAME AND ADDRESS: B-C-RANCH, LLC
2498 ROAD S N.E.
MOSES LAKE WA 98837

SOURCE: RAMS CREEK

TRIBUTARY: SILVER CREEK

QUANTITY: 0.600 CFS

PRIORITY DATE: 02/06/1918

POINT OF DIVERSION:

T18N R17E S27 SENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T18N R17E S27	SESW	1.0	T18N R17E S27	SESW	13.0
T18N R17E S27	SESW	10.0	T18N R17E S27	SESW	3.0
T18N R17E S27	NWSE	2.0			

SWNE

29 ACRES TOTAL

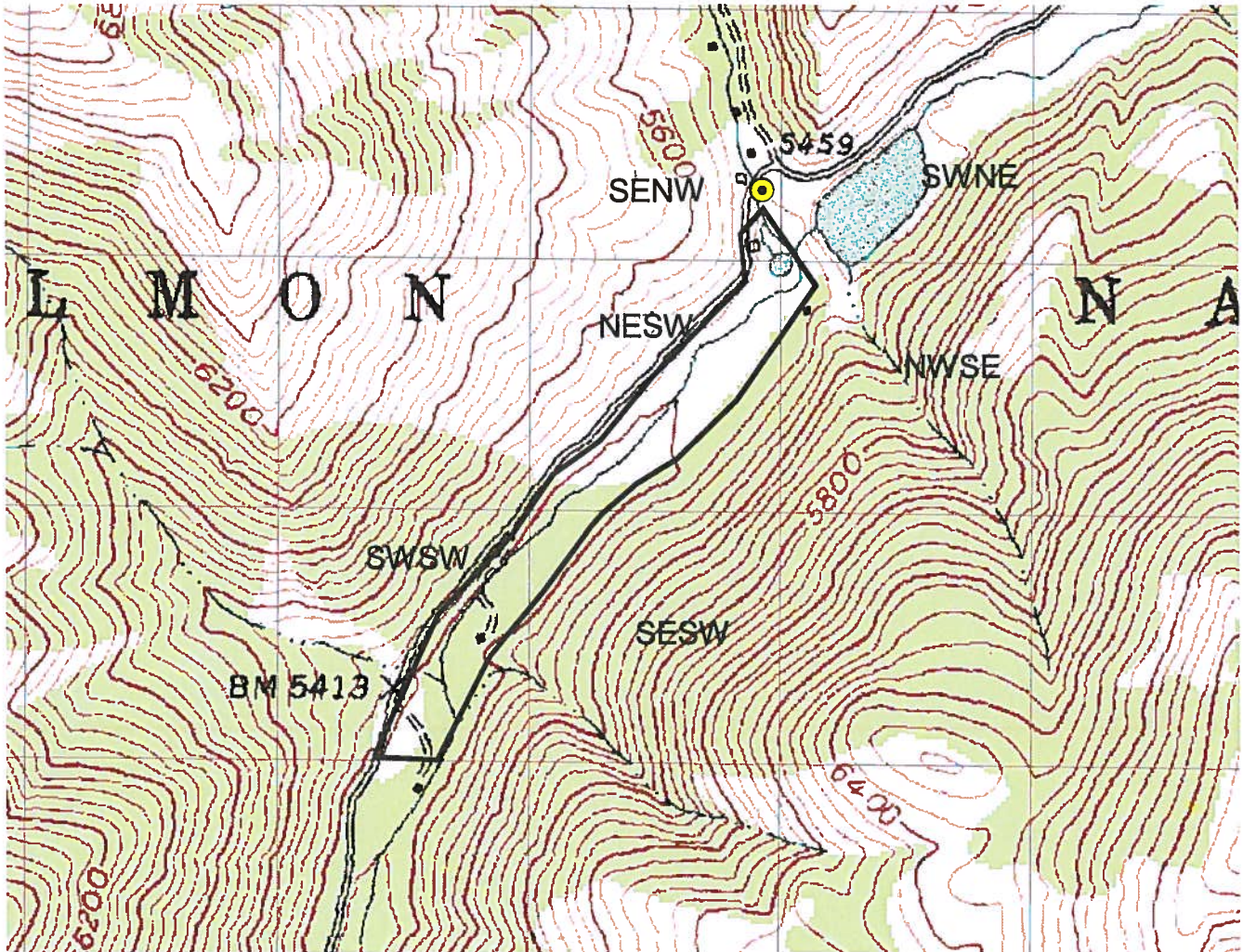
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is known as Homestead Entry Survey No. 628.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-4051



0 600 1200 Feet

Section 27
T18N R17E



● Point of Diversion

□ Place of Use

Map prepared on November 21, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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

RECEIVED**SEP 20 2005****DEPARTMENT OF
WATER RESOURCES**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	<u>77-4051</u>	___	_____	_____	___
_____	<u>77-4052</u>	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *16/17*
- 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) Jack Horton, Preston Dixon
825 E 4300 N Buhl, Id. 83316
4. New Owner/Claimant(s) B-C-Ranch, LLC d/o Berend Fricker
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2498 Rd. 5 N.E.
- City, State and ZIP Code MOSES Lake, WA. 98837
- New Telephone Number 509 765 4584
5. Date you acquired the property 5. 22. 1998

SCANNED**SEP 20 2005**

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

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

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

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

Brenda Miller
member + manager

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

For Office Use Only

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

SCANNED

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: A77-04051

Date Received: 1/ 8/1990

Receipt No: E011535

Received By: _____

C O P Y

FOR YOUR FILES NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK HORTON 208-543-4545
Address: 825 E 4300 N
BUHL ID 83316
OR
Name: PRESTON DIXON 208-543-4545
Address: 825 E 4300 N
BUHL ID 83316

2. Date of Priority: FEB 6, 1918

3. Source: RAMS CREEK Trib. to: SILVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	17E	27	SW	SW			LEMHI

5. Description of diverting works:
OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 142.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	17E	27	NW	SW		IRR	28.0

10. Place of Use: Continued

Township 18N	Range 17E	Section 27	1/4 SW	of 1/4 SW	Lot	Use IRR	Acres 5.0
						Section Acres	33.0
		28	NE	SE		IRR	2.0
			SE	SE		IRR	20.0
						Section Acres	22.0
		33	NE	NE		IRR	2.0
						Section Acres	2.0
						Total Acres	57.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

OWNERSHIP CHANGED BY KW 4/25/1996.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____

Date: _____

Date: _____

COPY
FOR YOUR FILES

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: **A77-04052**
Date Received: 1/ 8/1990
Receipt No: E011535
Received By: _____

C O P Y

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

1. Name: JACK HORTON 208-543-4545
Address: 825 E 4300 N
BUHL ID 83316
OR
Name: PRESTON DIXON 208-543-4545
Address: 825 E 4300 N
BUHL ID 83316

2. Date of Priority: FEB 6, 1918

3. Source: **ARRASTRA CREEK** Trib. to: SILVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	17E	26	NW	NE			LEMHI

5. Description of diverting works:
OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.000		

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

8. Total consumptive use is 372.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	17E	23	SE	SW		IRR	4.0
			SW	SE		IRR	2.0
			Section Acres				6.0
		26	NW	NE		IRR	6.0
			NE	NW		IRR	30.0
			NW	NW		IRR	30.0
			SW	NW		IRR	4.0
			Section Acres				70.0
		27	NE	NE		IRR	25.0
			NW	NE		IRR	16.0
			SW	NE		IRR	17.0
			SE	NE		IRR	15.0
			Section Acres				73.0
			Total Acres				149.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED BY KW 4/25/1996.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

COPY

242444

Record at the request
Lukins & Annis P.S.
2:40 P. 10-22-1999

Records of Lemhi

Deputy
Brenda Ambler
1500

Lukins & Annis P.S.

Filed for Record at Request of:
G. A. REIN
LUKINS & ANNIS, P.S.
1405 South Pioneer Way
Moses Lake, Washington 98837

QUIT CLAIM DEED

THE GRANTORS, BEREND FRIEHE and CARLA FRIEHE, husband and wife, whose address is 2498 S NE, Moses Lake, Washington 98837, for and in consideration of transferring into a limited liability company conveys and quit claims to B-C-RANCH, LLC, whose address is 2498 S NE, Moses Lake, Washington 98837, the following described real estate, situated in the county of Lemhi, state of Idaho, including any interest therein which Grantors may hereafter acquire, which is more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

DATED this 23 day of September, 1999.

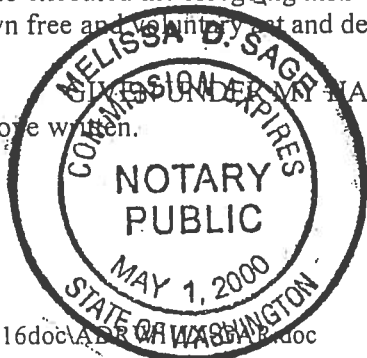
Berend Friehe
BEREND FRIEHE

Carla Friehe
CARLA FRIEHE

STATE OF WASHINGTON)
COUNTY OF GRANT) ss.

On this 23rd day of September, 1999, before me personally appeared BEREND FRIEHE and CARLA FRIEHE, husband and wife, to me known to be the individuals described in and who executed the foregoing instrument and acknowledged that they signed and sealed the same as their own free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESSED BY MY HAND AND OFFICIAL SEAL the day and year in this certificate first above written.



Melissa D. Sage
Notary Public in and for the State of
Washington, residing at Moses Lake
My commission expires: 5-1-00

S:\16doc\A.D. or WASH.doc

Warranty Deed

For Value Received

JACK E. HORTON AND CAMI F. HORTON, husband and wife

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

BEREND FRIEHE AND CARLA FRIEHE, husband and wife

whose current address is

2498 ROAD S SW
MOSES LAKE, WA 98837

the grantees, the following described premises, in LEMHI

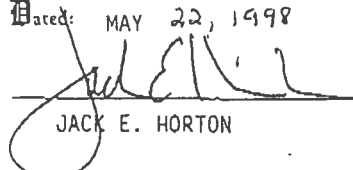
County Idaho, to wit:

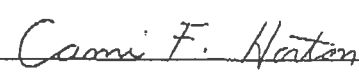
SEE ATTACHED EXHIBIT, "A"

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

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

Dated: MAY 22, 1998

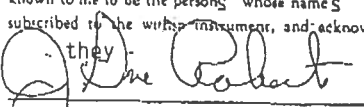

JACK E. HORTON


CAMI F. HORTON

STATE OF IDAHO, COUNTY OF Washington
On this 22 day of May, 1998
before me, a notary public in and for said State, personally appeared

JACK E. HORTON AND CAMI F. HORTON

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


Residing at Weiser, Id
Comm. Expires 10-06-2000

Notary Public
Idaho

SCANNED

SFP 7 0 2005

ALLIANCE

TITLE & ESCROW CORP.

LETTER OF CLOSING INSTRUCTIONS TO ALLIANCE TITLE & ESCROW

ESCROW NO. C-2688-LMS

DATE: June 3, 1998

We, the undersigned, hereby instruct ALLIANCE TITLE & ESCROW hereinafter referred to as the "Closing Agent", when in receipt of all documents and monies as set out herein, to close this transaction according to the following instruction and information:

The parties have entered into a contract for the purchase and sale of the subject property entitled, SALE AGREEMENT dated MAY 2, 1998, hereinafter referred to as the contract. The closing agent is hereby instructed to close the transaction in accordance with the terms of the Contract as well as these instructions, HOWEVER, in the event the terms of the contract and the terms of these instructions shall conflict, the terms of these instructions shall control.

PROPERTY: HES #628 SALMON, IDAHO

BUYER: BEREND FRIEHE AND CARLA FRIEHE

SELLER: GENE RITTER AND EXCHANGE FACILITATOR

TERMS:

Sales Price \$ 275,000.00

Payable as follows:

Earnest Money Deposit	\$ <u>0.00</u>	held by <u>JACK E. HORTON</u>
Cash (approximate)	\$ <u>240,000.00</u>	
Assumption of	\$ _____	
approx. balance owing to	\$ _____	
New Loan amount	\$ _____	from _____
Deed of Trust (Mortgage)	\$ _____	
in favor of _____		

In the event more than one deed of trust or mortgage is to be recorded in connection with this transaction, said liens shall be recorded in the following order of priority:

1st lien shall be in favor of _____ in the amount of \$ _____
2nd lien shall be in favor of _____ in the amount of \$ _____

In the event this transaction involves a new loan or assumption of existing loan, these instructions must conform to the instructions of that lender.



SCANNED

SEP 20 2005

ALLIANCE

TITLE & ESCROW CORP.

LETTER OF CLOSING INSTRUCTIONS TO ALLIANCE TITLE & ESCROW

ESCROW NO. E-2688-LMS

DATE: June 3, 1998

We, the undersigned, hereby instruct ALLIANCE TITLE & ESCROW hereinafter referred to as the "Closing Agent", when in receipt of all documents and monies as set out herein, to close this transaction according to the following instruction and information:

The parties have entered into a contract for the purchase and sale of the subject property entitled, SALE AGREEMENT dated MAY 2, 1998, hereinafter referred to as the contract. The closing agent is hereby instructed to close the transaction in accordance with the terms of the Contract as well as these instructions, HOWEVER, in the event the terms of the contract and the terms of these instructions shall conflict, the terms of these instructions shall control.

PROPERTY: PTN OF HES 240 SALMON, IDAHO

BUYER: BEREND FRIEHE AND CARLA FRIEHE

SELLER: JACK E. HORTON AND CAMI F. HORTON

TERMS:

Sales Price \$ 275,000.00

Payable as follows:

Earnest Money Deposit	\$ <u>10,000.00</u>	held by <u>JACK E. HORTON</u>
Cash (approximate)	\$ <u>240,000.00</u>	
Assumption of	\$ _____	
approx. balance owing to	_____	
New Loan amount	\$ _____	from _____
Deed of Trust (Mortgage)	\$ _____	
in favor of	_____	

In the event more than one deed of trust or mortgage is to be recorded in connection with this transaction, said liens shall be recorded in the following order of priority:

1st lien shall be in favor of _____ in the amount of \$ _____
 2nd lien shall be in favor of _____ in the amount of \$ _____

In the event this transaction involves a new loan or assumption of existing loan, these instructions must conform to the instructions of that lender.



SCANNED

CRD 2 0 2005

ALL THAT PROPERTY LYING AND BEING IN LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

H.E. SURVEY NO. 628, EMBRACING A PORTION OF APPROXIMATELY SECTIONS (19) AND (20) IN T. 18 N., R. 17 E., BOISE MERIDIAN, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 1, FROM WHICH U.S. LOCATION MONUMENT NO. 240 BEARS S. 46 DEGREES 15' W., 13.00 CHAINS DISTANT, THENCE N. 20 DEGREES 43' W. 37.24 CHAINS TO CORNER NO. 2; THENCE S. 82 DEGREES 07' E., 11.72 CHAINS TO CORNER NO. 3; THENCE S. 8 DEGREES 14' E., 22.93 CHAINS TO CORNER NO. 4; THENCE S. 46 DEGREES 35' E., 6.39 CHAINS TO CORNER NO. 5; THENCE N. 52 DEGREES 47' E., 35.34 CHAINS TO CORNER NO. 6; THENCE S. 4 DEGREES 07' E., 7.15 CHAINS TO CORNER NO. 7; THENCE S. 44 DEGREES 18' W., 81.48 CHAINS TO CORNER NO. 8; THENCE S. 33 DEGREES 48' W., 7.20 CHAINS TO CORNER NO. 9; THENCE N. 87 DEGREES 23' W., 4.29 CHAINS TO CORNER NO. 10; THENCE N. 12 DEGREES 12' E. 8.07 CHAINS TO CORNER NO. 11; THENCE N. 38 DEGREES 28' E., 45.74 CHAINS TO CORNER NO. 1, THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT CORNER NO. 10 OF H.E.S. NO. 628, WHICH IS THE POINT OF BEGINNING; RUNNING THENCE N. 12 DEGREES 12' E. 532.62 FEET TO CORNER NO. 11 OF H.E.S. NO. 628; THENCE N. 38 DEGREES 28' E., 1,862.58 FEET TO A POINT ON SAID HOMESTEAD BOUNDARY LINE BETWEEN CORNER NO. 11 AND CORNER NO. 1 THEREOF; THENCE S. 56 DEGREES 0' E., 606.84 FEET TO A POINT ON SAID HOMESTEAD BOUNDARY LINE BETWEEN CORNER NO. 7 AND CORNER NO. 8 THEREOF; THENCE S. 44 DEGREES 18' W., 1,757.61 FEET TO CORNER NO. 8; THENCE S. 33 DEGREES 48' W., 475.20 FEET TO CORNER NO. 9 OF H.E.S. NO. 628; THENCE N. 87 DEGREES 23' W., 283.14 FEET TO CORNER NO. 10 OF H.E.S. NO. 628, THE PLACE OF BEGINNING, ALL IN APPROXIMATELY UNSURVEYED TOWNSHIP 18 N., RANGE 17 E. BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

North
East

West
South

sec

26

27

SCHEDULE C

Commitment

Recorder Form No. 11124

SCANNED

SEP 7 11 2005

No. 6-7843-C

SCHEDULE C CONTINUED Page 2

ALSO EXCEPTING A FRACTION OF H.E.S. NO. 628, IN APPROXIMATE SECTION 27, T. 18 N., R. 17 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT CORNER NO. 4 OF SAID H.E.S. NO. 628, RUN THENCE N. 8 DEGREES 14' W., ALONG THE EASTERLY BOUNDARY OF H.E.S. NO. 628, A DISTANCE OF 386.85 FEET TO THE POINT OF BEGINNING, AND THE SOUTHEASTERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE S. 76 DEGREES 38' W., 441.9 FEET TO A POINT ON THE WESTERLY BOUNDARY OF H.E.S. NO. 628; THENCE N. 20 DEGREES 43' W., ALONG THE WESTERLY BOUNDARY OF H.E.S. NO. 628; A DISTANCE OF 391.5 FEET; THENCE N. 79 DEGREES 26' E., 212.4 FEET; THENCE N. 0 DEGREES 02' E., 72.5 FEET; THENCE S. 86 DEGREES 50' E., 308.2 FEET TO A POINT ON THE EASTERLY BOUNDARY OF H.E.S. NO. 628; THENCE S. 8 DEGREES 14' E., ALONG THE EASTERLY BOUNDARY OF H.E.S. NO. 628 A DISTANCE OF 362.6 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN H.E.S. NO. 628, NW1/4 OF UNSURVEYED SECTION 27, T. 18 N., R. 17 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT CORNER NO. 2 OF SAID H.E.S. 628, RUN THENCE S. 82 DEGREES 18' 34" E., ALONG LINE 2-3 A DISTANCE OF 772.67 FEET TO CORNER NO. 3 OF SAID H.E.S.; THENCE S. 08 DEGREES 27' 00" E., ALONG LINE 3-4 A DISTANCE OF 764.08 FEET; THENCE N. 87 DEGREES 03' 00" W., A DISTANCE OF 304.23 FEET; THENCE S. 00 DEGREES 11' 00" E., A DISTANCE OF 72.50 FEET; THENCE S. 79 DEGREES 13' 00" W., A DISTANCE OF 212.40 FEET TO A POINT ON LINE 1-2 OF SAID H.E.S.; THENCE N. 20 DEGREES 56' 27" W., ALONG SAID LINE 1-2 A DISTANCE OF 1023.36 FEET TO THE POINT OF BEGINNING.

SCANNED

SEP 20 2005

SCHEDULE C CONTINUED Page 3

ALSO, H.E. SURVEY NO. 240, EMBRACING A PORTION OF THE UNSURVEYED PUBLIC DOMAIN MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT CORNER NO. 1, FROM WHICH U.S. LOCATION MONUMENT NO. 240 BEARS S. 68 DEGREES 59' W., 48.6 CHAINS DISTANT; THENCE N. 4 DEGREES 7' W., 19.28 CHAINS TO CORNER NO. 2; THENCE N. 72 DEGREES 14' E., 27.57 CHAINS TO CORNER NO. 3; THENCE N. 80 DEGREES 43' E., 51.8 CHAINS TO CORNER NO. 4; THENCE S. 9 DEGREES 15' E., 16 CHAINS TO CORNER NO. 5; THENCE S. 75 DEGREES 30' W., 81.2 CHAINS TO CORNER NO. 1, THE PLACE OF BEGINNING.

EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED 5 PARCELS OF LAND WHICH IS A UNITED STATES OF AMERICA FOREST SERVICE ROAD RIGHT-OF-WAY DESCRIBED AS FOLLOWS, TO-WIT:

A FRACTION OF SECTION 27 AND 28, UNSURVEYED, T. 18 N., R. 17 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

PARCEL 1:

COMMENCING AT A POINT WHICH IS S. 80 DEGREES 43' W., 589.03 FEET FROM CORNER NO. 4 OF H.E.S. NO. 240, WHICH POINT IS ON THE NORTH BOUNDARY OF GRANTOR'S LAND; THENCE S. 80 DEGREES 43' W., 2,829.77 FEET TO CORNER NO. 3; THENCE S. 72 DEGREES 14' W., 1,819.62 FEET TO CORNER NO. 2; THENCE S. 4 DEGREES 07' E., 105.50 FEET; THENCE N. 65 DEGREES 21' E., 644.34 FEET; THENCE N. 74 DEGREES 59' E., 697.00 FEET; THENCE N. 68 DEGREES 02' E., 443.52 FEET; THENCE S. 81 DEGREES 47' E., 489.81 FEET; THENCE N. 76 DEGREES 43' E., 492.69 FEET; THENCE S. 89 DEGREES 01' E., 282.23 FEET; THENCE N. 71 DEGREES 45' E., 381.62 FEET; THENCE N. 85 DEGREES 22' E., 294.35 FEET; THENCE N. 72 DEGREES 36' E., 754.61 FEET; THENCE N. 67 DEGREES 09' E., 244.61 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

PARCEL 2:

COMMENCING AT CORNER NO. 6 OF H.E.S. NO. 628, THENCE S. 4 DEGREES 07' E., 105.5 FEET; THENCE S. 61 DEGREES 32' W., 522.24 FEET; THENCE S. 36 DEGREES 28' W., 120.40 FEET; THENCE S. 68 DEGREES 52' W., 229.05 FEET; THENCE S. 59 DEGREES 39' W., 148.25 FEET; THENCE N. 52 DEGREES 47' E., 1,061.90 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SCANNED

SEP 20 2005

No. 6-7843-C

SCHEDULE C CONTINUED Page 4

PARCEL 3:

COMMENCING AT A POINT WHICH IS N. 52 DEGREES 47' E., 475.64 FEET FROM CORNER NO. 5 OF H.E.S NO. 628, THIS POINT IS ON BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 5 AND 6; THENCE S. 43 DEGREES 01' W., 68.38 FEET; THENCE S. 53 DEGREES 58' W., 312.00 FEET; THENCE S. 73 DEGREES 59' W., 14.28 FEET; THENCE N. 52 DEGREES 47' E., 392.63 FEET, TO THE POINT OF BEGINNING.

PARCEL 4:

COMMENCING AT A POINT WHICH IS N. 46 DEGREES 35' W., 102.00 FEET FROM CORNER NO. 5 OF H.E.S. NO. 628, THIS POINT BEING STA. 23 + 59.8 OF THE R/W SURVEY AND ON THE BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 4 AND 5; THENCE N. 74 DEGREES 10' W., 133.0 FEET; THENCE S. 60 DEGREES 51' W., 167.8 FEET; THENCE S. 8 DEGREES 37' W., 153.7 FEET; THENCE S. 2 DEGREES 29' W., 255.0 FEET; THENCE S. 11 DEGREES 41' W., 52.3 FEET; THENCE S. 42 DEGREES 53' W., 408.6 FEET; THENCE S. 44 DEGREES 49' W., 75.04 FEET TO A POINT ON THE BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 4 AND 1. THIS POINT BEING ST. 38 + 05.14 OF THE R/W SURVEY AND BEARING S. 38 DEGREES 28' W., 487.06 FEET FROM CORNER NO. 1 OF H.E.S. NO. 628, TOTAL LENGTH OF R/W IN THIS PARCEL IS 1,245.34 FEET.

PARCEL 5:

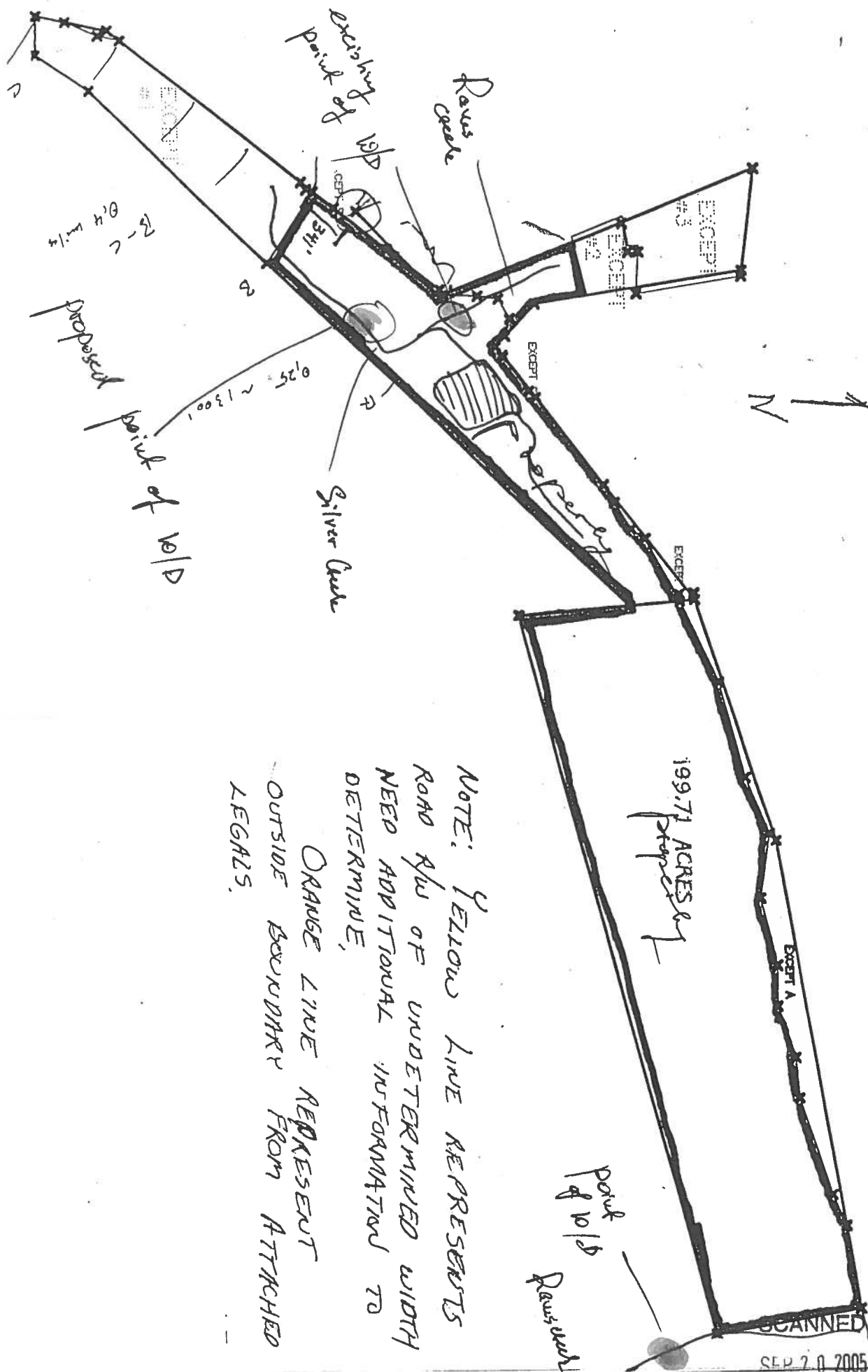
COMMENCING AT A POINT WHICH IS S. 38 DEGREES 28' W., 966.82 FEET, FROM CORNER NO. 1 OF H.E.S. NO. 628, THIS POINT IS ON BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 11 AND 1, THENCE S. 34 DEGREES 08' W., 236.59 FEET; THENCE S. 54 DEGREES 49' W., 63.57 FEET; THENCE N. 38 DEGREES 28' E., 296.92 FEET, TO THE POINT OF BEGINNING.

PARCEL 6:

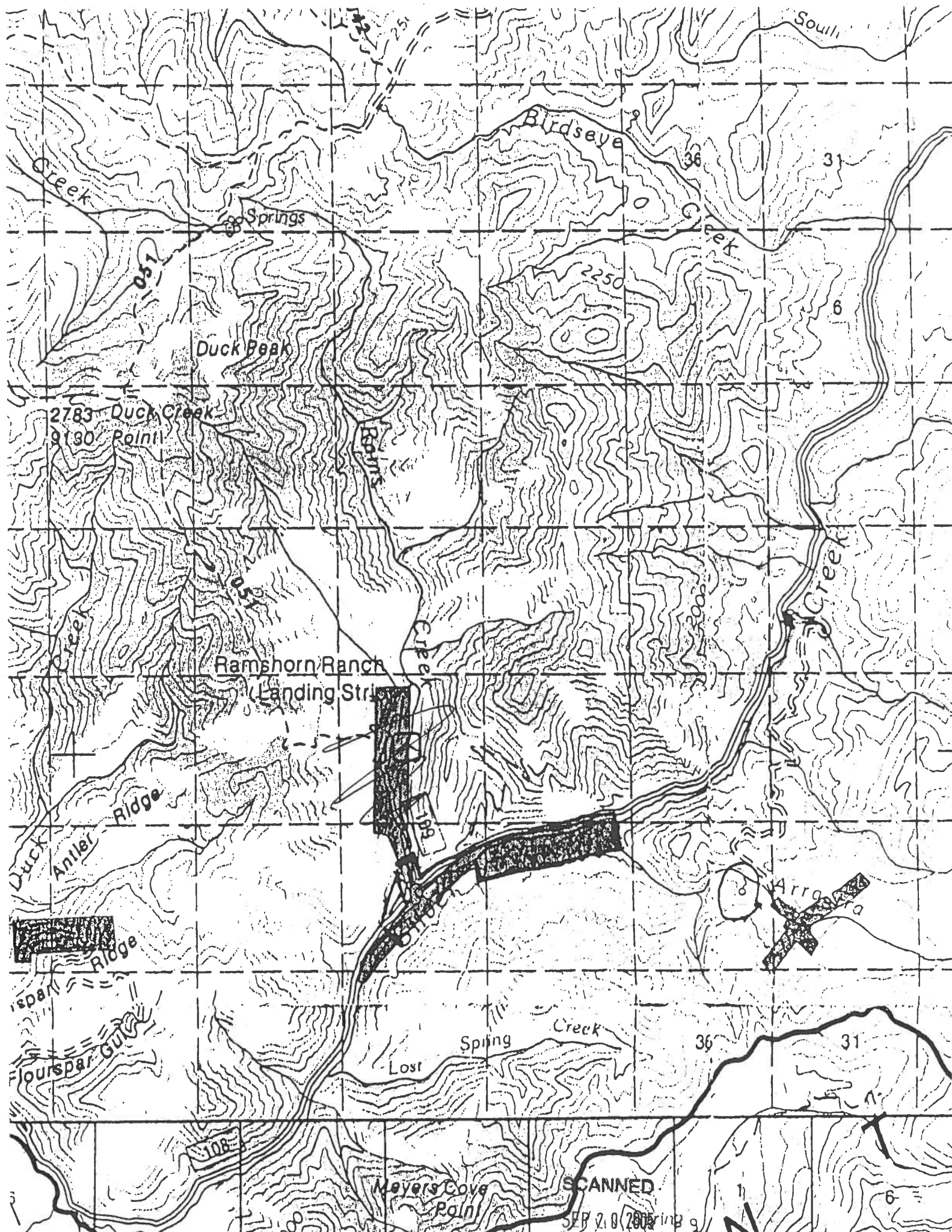
COMMENCING AT A POINT WHICH IS N. 38 DEGREES 28' E., 115.79 FEET FROM CORNER NO. 11 OF H.E.S. NO. 628, THIS POINT BEING STA. 60 + 51.08 OF R/W SURVEY AND ON THE BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 11 AND 1, THENCE S. 13 DEGREES 13' W., 163.32 FEET; THENCE S. 22 DEGREES 58' W., 258.7 FEET TO A POINT ON THE BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 10 AND 11. THIS POINT BEING STA. 64 + 73.10 OF R/W SURVEY AND BEARING N. 12 DEGREES 12' E., 220.8 FEET, FROM CORNER NO. 10 OF H.E.S. NO. 628.

^SCANNED

SEP 7 11 2005



NOTE: Yellow line represents
 ROAD R/W OF UNDETERMINED WIDTH
 NEED ADDITIONAL INFORMATION TO
 DETERMINE,
 ORANGE LINE REPRESENT
 OUTSIDE BOUNDARY FROM ATTACHED
 LEGALS.



SCANNED
SEP 20 2005

77-4051

Ervin Notes

Former Owner: Preston Dixon
Jack Horton

Mouth Rams Creek

44° 51' 40"
114° 27' 10"

New Owner: Bernd Fricke
2498 Road S. NE
Moses Lake WA 99937

(509) 765-4584

Phone Conversation 8-5-04

Gross → Inv. ~ 300 cfs

3"-4" pipe with screened intake

Gross 0.4 cfs

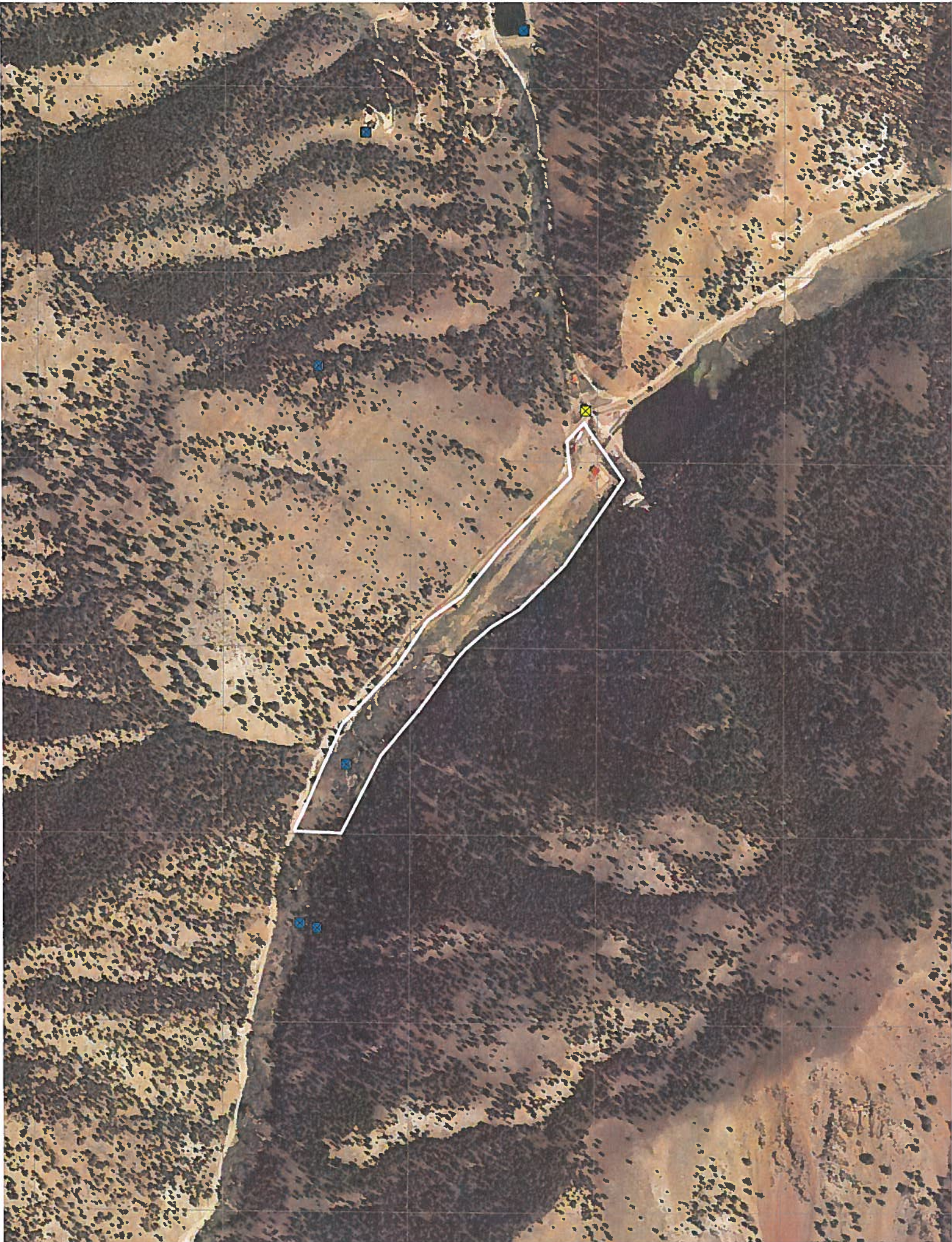
Gravity & Booster Pump

Purchased Prop. 3-4 yrs ago.

Wants to be there when exam is done.

Carleton is new & doesn't know much about place yet.

Tentative Date 9-3-05



**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED

JAN 15 1980

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Worth Boggeman

(Name of Claimant)

Challis, Idaho 83226

(Mailing Address)

Telephone No. 876-2524

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) February 6, 1918

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Rams Creek tributary to Silver Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

				(Both dates Inclusive)	
(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)	(Mo., Day)
Quantity	<u>2.00 cfs</u>	Use	<u>Irrigation</u>	<u>4/1</u>	<u>11/1</u>
Quantity	_____	Use	_____	_____	_____
Quantity	_____	Use	_____	_____	_____
Quantity	_____	Use	_____	_____	_____
Quantity	_____	Use	_____	_____	_____

- (4) 2.00 cfs TOTAL QUANTITY USED.

(cfr. 98d. AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ SW ¼, Sec. 27 Twp. 18N Rge. 17E B.M., County of Lemhi

Additional points of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T. 18N, R. 17E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Open ditches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 57

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:



Department of Water Resources
Western Regional Office



State of Idaho)
County of Lauister) ss.)

Sworn to before me

January

19 Feb

Alvin B. Bazzerman
(Claimant)

Edna M. Parick

Notary Public

Residing at Cuba St P327, -

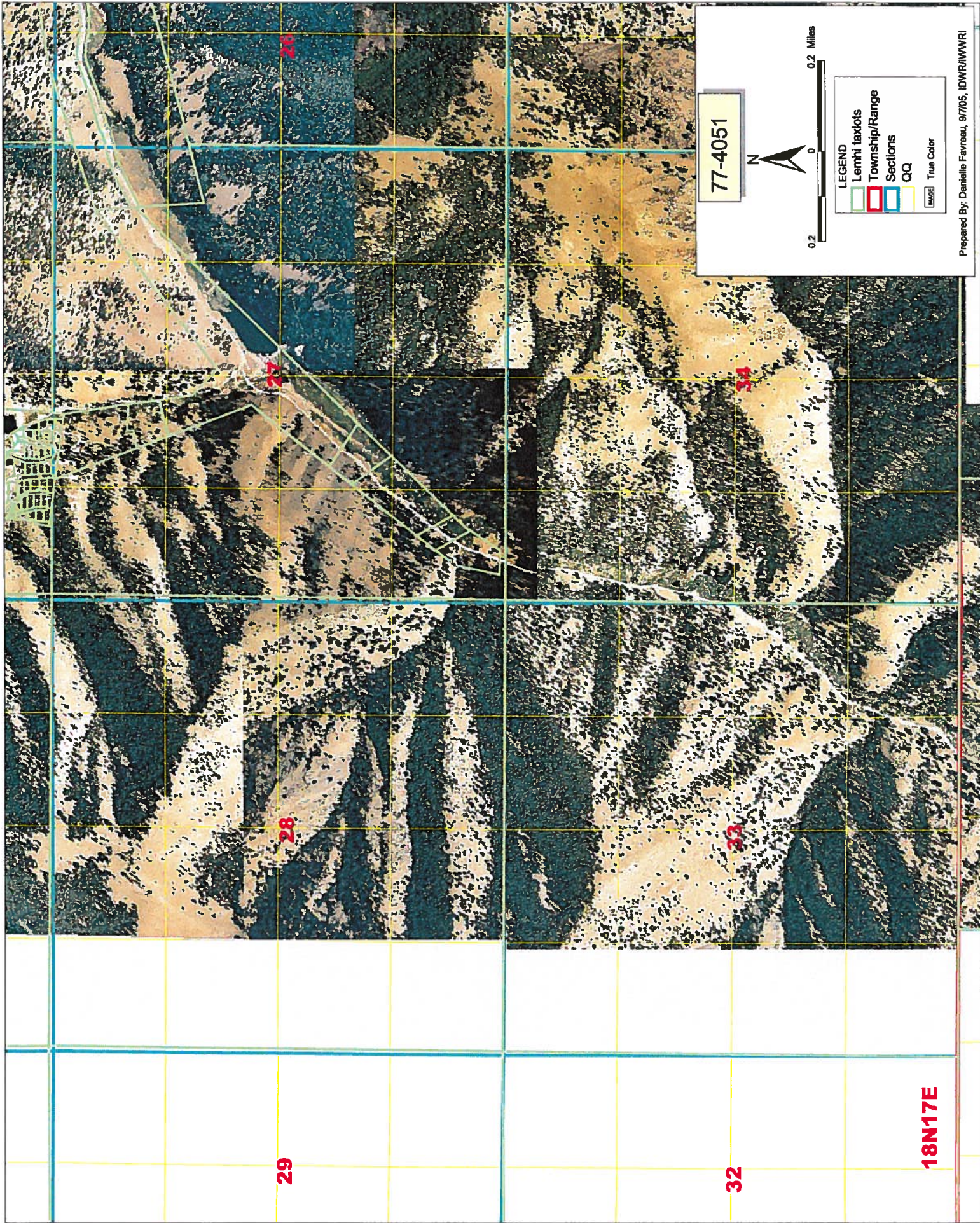
My commission expires 6-25-1980

1-25-80
FOR DEPARTMENT USE ONLY

Received by KW Date 1/4/80 Exception filed by:
Prelim. check by S.O. CWB Date 1/25/80
\$20.00 fee received by KW Date 60. #5493
Published in The Recorder - Gleaned
Dates 2/7 + 2/14/80

Forwarded to _____ Date _____
claimant by: _____

KK 3/4/80



77-4051

- LEGEND
- Lemhi taxlots
 - Township/Range
 - Sections
 - QQ
 - True Color

0.2 Miles



29

32

18N17E

RECEIVED

JAN 12 1990

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
Department of Water Resources
Western Regional Office

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED

JAN 11 1990

Ident. Number: A77-04051
Date Received: 12/16/1989
Receipt No: EO 11535/90
Received By: _____

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN - 8 1990

Department of Water Resources
Eastern District Office

1. Name: WORTH BOGGEMAN
Address: HC 61 BOX 3080
CHALLIS, ID

83226

OR
Name: MARY BOGGEMAN
Address: HC 61 BOX 3080
CHALLIS, ID

83226

2. Date of Priority: FEB 06, 1918

3. Source: RAMS CREEK

Trib. to: SILVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	17E	27	SW	SW			LEMHI

5. Description of diverting works:
OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

A.F.A.

8. Total consumptive use is 142.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A77-04051

Page

1

Date: 12/16/89

MICROFILMED

OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	17E	27	NW	SW		IRR	28.0
			SW	SW		IRR	5.0
					Section Acres		33.0
		28	NE	SE		IRR	2.0
			SE	SE		IRR	20.0
					Section Acres		22.0
		33	NE	NE		IRR	2.0
					Section Acres		2.0
					Total Acres		57.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do yes 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): Worth Boggeman Date: x Dec 31 89
Mary Boggeman Date: Dec 31, 1989

State of TEXAS)
County of Jack) SS. 466-26-3545
) SS. 453-70-8532

Subscribed and sworn (or affirmed) before me this 4 day
of January 19 90 Sue Fenter
Notary Public



Residing at Jacksboro, TX
My Commission Expires 8-16-92



RECEIVED

AUG 20 1996

WATER RESOURCES
WESTERN REGION

644 Ontario Hts. Rd.
P.O. Box 1280
Ontario, OR 97914
541-889-3029

12301 West Explorer Dr.
Suite 208
Boise, ID 83713
208-377-3765

August 17, 1996

Ms. Kay Walker
Senior Water Resource Agent
Adjudication Bureau
State of Idaho Dept of Water Resources
2735 Airport Way
Boise, ID 83705-5082

REFERENCE: Water Rights #A77-04051 and #A77-04052

Ms. Walker,

Enclosed please find an affidavit from Mary and Worth Boggeman, former owners of the B - C Ranch at Meyers Cove, Idaho. It is my understanding the Boggemans purchased the ranch in the late 1950's. At that time, they used it as a summer quarters for their cattle operation as well as a guest ranch. Mrs. Boggeman informed me that they had been irrigating the lands at that time out of both Arrasta Creek and Rams Creek.

The notarized copy for her affidavit is enclosed. If you would like the original, please let me know in writing.

Also, please note our new address:

Jack Horton and/or Preston Dixon
P.O. Box 1280
Ontario, OR 97914

I appreciate your adjudicating such water rights to our ranch.

Thank you,

Jack Horton

JH:ch

Enclosure

MICROFILMED

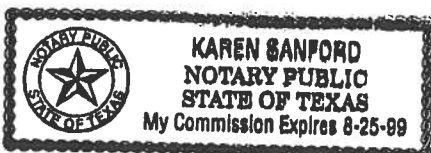
OCT 24 1996

RECEIVED
AUG 20 1996
WATER RESOURCES
WESTERN REGION

Affidavits

I/we Worth and /or Mary Boggeman hereby state that as the former owners of the property commonly known as the B-C ranch at Myers Cove, Idaho we/I have personal knowledge that the waters of Rams Creek were used for irrigation on the lands described in water right no. A77-04051 and that the waters of Arrasta Creek were used for irrigation on the lands described in water right no, A77-04052

Signed



Mary Boggeman
Mary Boggeman

Worth Boggeman
Worth Boggeman

Karen Sanford
Notary
6-12-96
Date

MICROFILMED
OCT 24 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 25, 1996

RE: Notice of Claims to Water Right Nos. A77-04030, A77-04051 and
A77-04052

Jack Horton &/or Preston Dixon
825 E. 4300 N.
Buhl, ID 83316

Gentlemen:

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

Please be advised that you will be required to submit some evidence of use of the water back to the date of priority claimed under Rts. A77-04051 and A77-04052. We do not require evidence on domestic uses, as claimed under Rt. A77-04030. I have enclosed a brochure entitled "Evidence of Priority" which discusses the type of evidence that can be submitted to substantiate the claimed priority dates. This evidence will be required prior to our field work being conducted in the area of these claims. I am letting you know now so that you can begin to collect the information.

The Department will contact you concerning any other requirements that may be needed in order to process these claims for final court decree. If you have any questions in regard to this matter, please feel free to contact this office.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

MICROFILMED

OCT 24 1996

MEMORANDUM

April 19, 1996 *kw*

TO: FILES A77-04030, A77-04051 and A77-04052

FROM: KAY WALKER

RE: OWNERSHIP

(from Texas)

Mary Boggeman called the office yesterday in response to my letter of January 18, 1996. Mrs. Boggeman said her husband had been very sick and she had just gotten enough time to respond. She said that they had indeed sold their property in Myers Cove to Jack Horton and Preston Dixon. She will sign the ownership change form and send it back to me. She was concerned that if she signed this form it would cause them problems. I told her not to worry, we just wanted to make sure that this ownership change was valid and that was the reason for my correspondence.

MICROFILMED

OCT 24 1996

Lemhi Title & Abstract Company

Title Insurances • Abstracts • Escrows

(208) 756-2977
FAX 756-6286

P.O. Box J
Salmon, Idaho 83467

FACSIMILI TO 334-2348

WATER RESOURCES DEPARTMENT
ATTENTION: KAY WALKER

DEAR KAY:

THE PROPERTY YOU ARE TRYING TO LOCATE IS NEAR MEYERS COVE, IT IS LOCATED IN SECTIONS 19 AND 20, TOWNSHIP 18 N., RANGE 17 E.B.M. THE PROPERTY HAS SILVER CREEK RUNNING THE LENGTH OF IT WITH A PORTION OF RAMS CREEK RUNNING ALONG A PORTION OF THE PROPERTY. LET ME KNOW IF YOU NEED ANYTHING FURTHER TO HELP YOU IDENTIFY THE LOCATION. I HAVE ATTACHED TWO MAPS TO ASSIST YOU.

SINCERELY,


ERIN ROBIE

MICROFILMED
OCT 24 1996

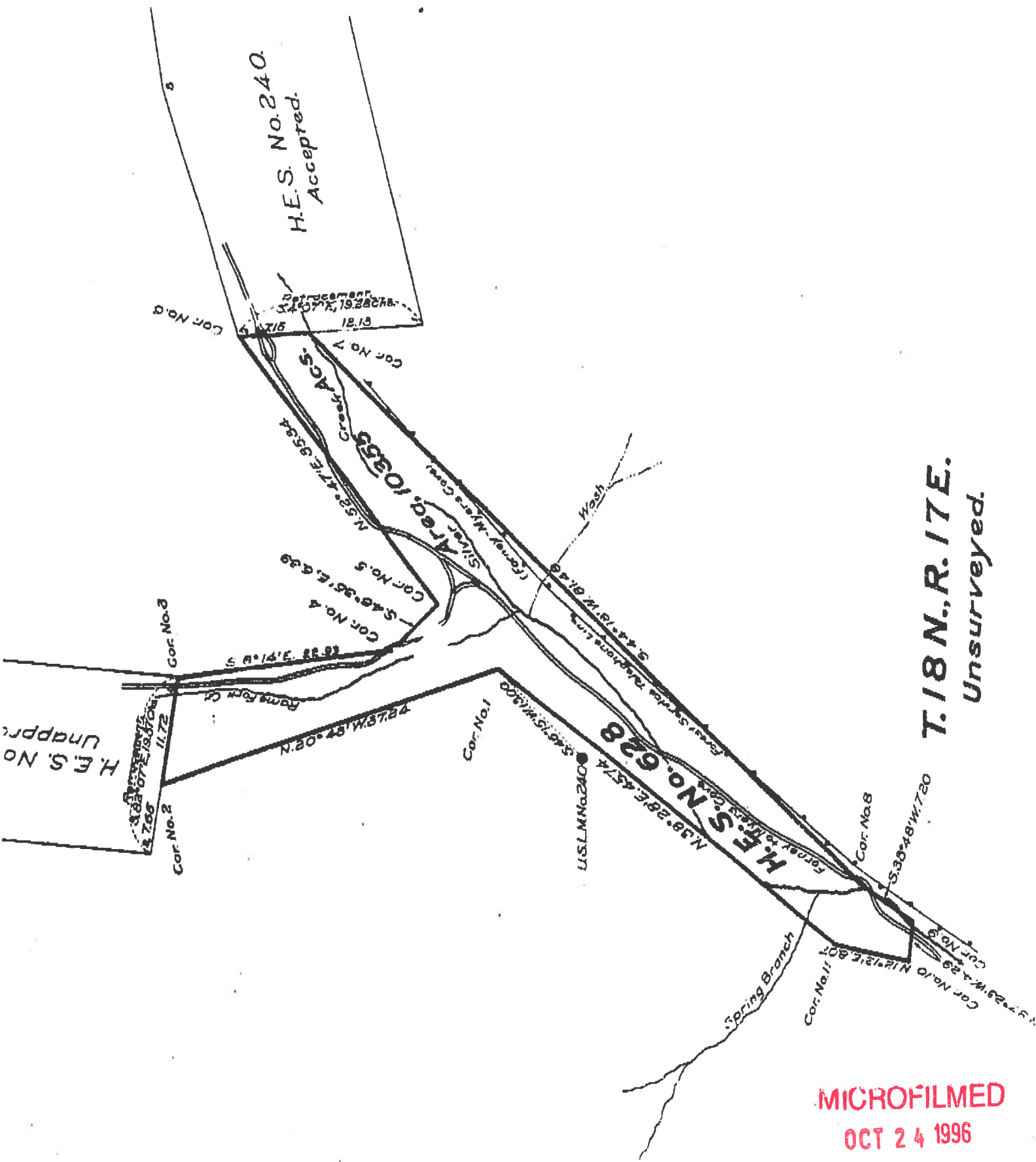
see map & prepared
in file A77-04030
KW
4/25/96

HC
EN

ATW

BOISE

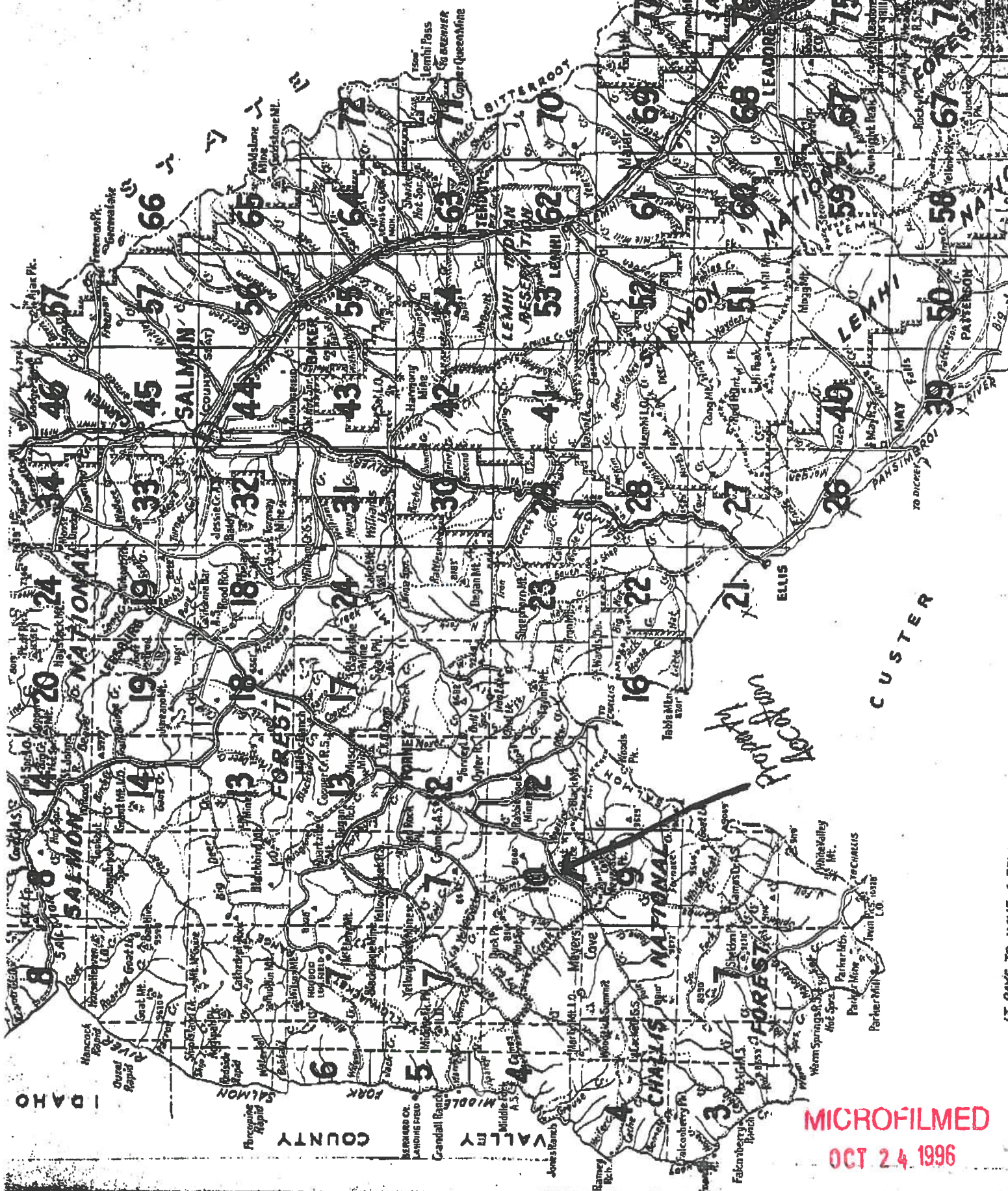
This is
No. 6
Serial
Date
Name



T.18 N., R. 17 E.
Unsurveyed.

MICROFILMED
OCT 24 1996

DATED DEC
SCALE 2 IN
COMPILED B
593 MARKET
514-S.W.OAK
1020 THIRD
111 SO. TENTH



MICROFILMED
OCT 24 1996



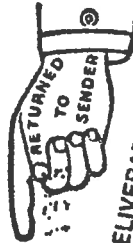
27

SALMON NF
ADMINISTERED BY
CHILDS NR

NOVOFILMED

1996

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082



UNDELIVERABLE AS ADDRESSED
FORWARDING ORDER EXPIRED

WORTH BOGGMAN
HC 61 BOX 3080
CHALLIS ID 83226

RECEIVED
JAN 25 1996
WATER RESOURCES
WESTERN REGION

MICROFILMED
OCT 24 1996

53226-9403

Long



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 18, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claims to Water Rights Nos. A77-04030, A77-04051 &
A77-04052

Worth Boggeman
HC 61, Box 3080
Challis, ID 83226

Dear Mr. Boggeman:

We have received and reviewed a notice of change of water right ownership of the above referenced claims which would change the ownership to Jack Horton and Preston Dixon. On the ownership change form it states that this change would not result in splitting the claims between yourself and the new owners. Since the area around this property is unsurveyed we would like to know you are aware of the change.

In looking at "Exhibit A" that was attached to the deed Mr. Horton and Mr. Dixon submitted, we noted that the first paragraph states the location of H.E. Survey No. 628 is within Sections 19 and 20, Twp. 18N, Rge. 17E. Other paragraphs on the exhibit indicate that H.E.S. No. 628 is within Sections 27 and 28, Twp. 18N, Rge. 17E. Due to discrepancies on Exhibit A, I contacted Lemhi Title and Abstract Company in Salmon and they sent me a plat of H.E.S. 628 and I was able to determine that it is located in unsurveyed Sections 27 and 28, Twp. 18N, Rge. 17E. The plat also shows that H.E.S. 240 is located on adjoining property.

Since the property is located in an unsurveyed area and "Exhibit A", attached to the warranty deed submitted, includes discrepancies, we would like you to sign the enclosed form, where indicated, and return it to this office if you agree that the claims have changed ownership and you no longer have any interest in them. If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

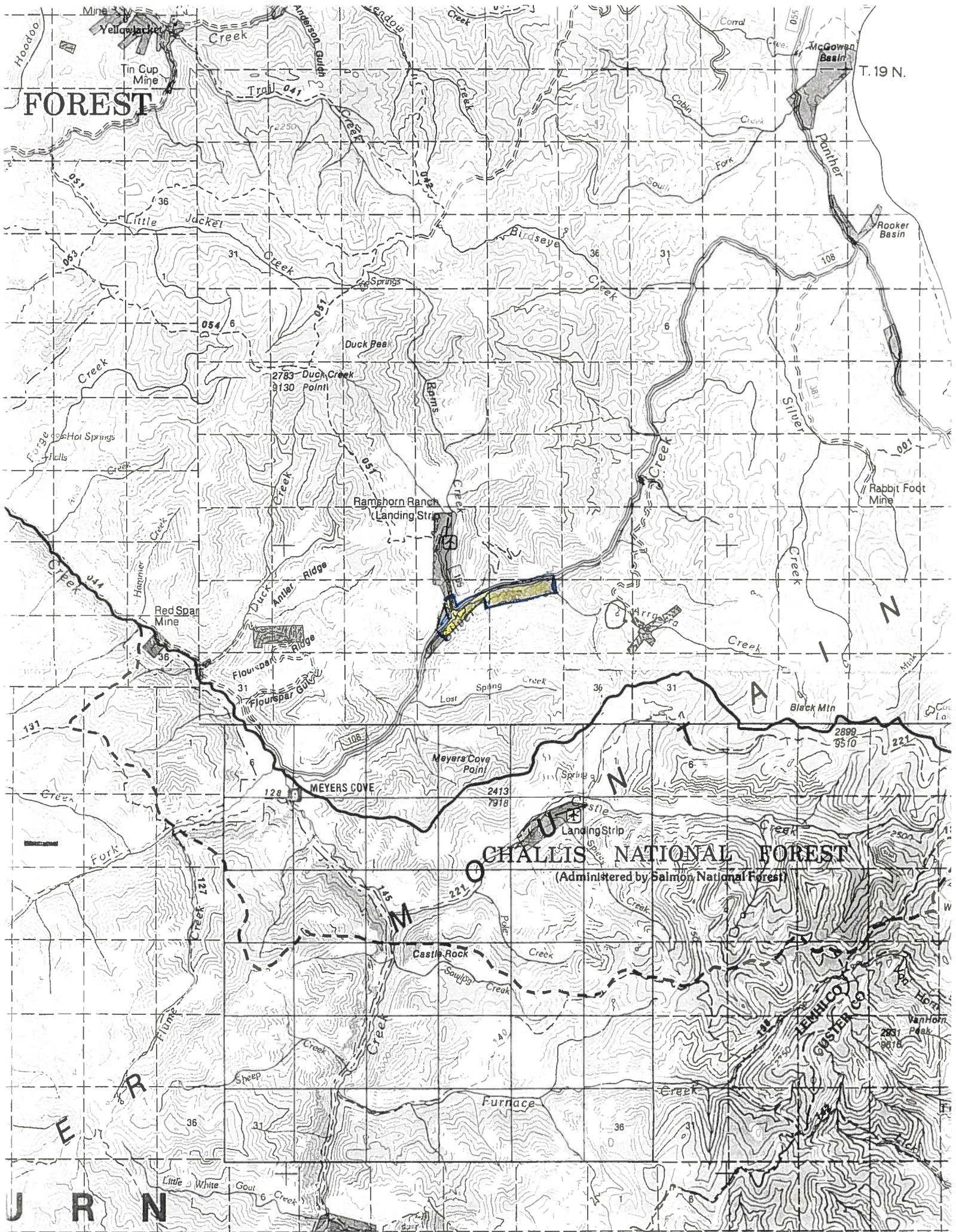
KW:k
Enclosure

MICROFILMED
OCT 24 1996



Camas
Creek →

→ Horse
Creek



FOREST

CHALLIS NATIONAL FOREST
(Administered by Salmon National Forest)

T. 19 N.

McGowan Basin

Panther

Rooker Basin

Rabbit Foot Mine

Black Mt.

CHALLIS NATIONAL FOREST
(Administered by Salmon National Forest)

(Administered by Salmon National Forest)

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

MEYERS COVE

Berend Friehe
2498 Rd. S NE
Moses Lake, WA 98837

August 2, 2002

RECEIVED

AUG 05 2002

**WATER RESOURCES
WESTERN REGION**

State of Idaho
Department of Water Resources

RE: Notice of Change of Water Right Ownership # 77-4051& 77-4052

Dear Adjudication Section ,

I have received your letter from July 15, 2002 and sending you the requested information in order to complete the water right transfer. If more is necessary, please notify me.

Sincerely,



Berend Friehe



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

July 15, 2002

BEREND FRIEHE
2498 ROAD S NE
MOSES LAKE WA 98837

RE: Notice of Change of Water Right Ownership No. 77-4051 & 77-4052

Dear Property Owners:

This office has reviewed your Notice of Change of Water Right Ownership for the property with the above reference water right number. However, we are returning this to you at this time.

Due to the fact this may be a split of the original claim, we need you to submit a plat map or a survey map of the property, referencing the tax lot information for ownership of the property. This will help clarify correct ownership of the property involved.

Please submit the above information and we will be able to complete this ownership change. We apologize for any inconvenience this may have caused.

If you have any questions concerning this letter, please contact this office at 334-2190. Thank you for your patience and cooperation, as we have had several water right changes to process.

Sincerely,

Adjudication Section
Western Region

RH: dh

Enclosures

Dewise, 77-4051
77-4052

SENT BACK to NEW
OWNER... REQUEST
TO SUBMIT MORE
INFORMATION.

PLAT OF property or
Survey map with
reference to tax lot
OWNERSHIPS OF
the new owners
property... & Descriptions
Thanks
Rox

obligation claims

77-04030 has been
objected to & file
is at S.O. Sent
copy of this to
Roxanne. (99)

7/02 - 77-04030
Decreed in name
of Fricke in
2001.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 22 1999

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: A 77 - 04051 A 77 - 04052 A 77 - 04030
 Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Jack Horton
825 E 4300 N

4. New Owner/Claimant(s) Bukle, Idaho 83316
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address BEREND FRIEHE
 City, State and ZIP Code 2498 Road 8 N.E. Moses Lake, Wa. 98837
 New Telephone Number (509) 765 4584

5. Date you acquired the property 6. 3. 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Berend Friehe
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

Warranty Deed

For Value Received

JACK E. HORTON AND CAMI F. HORTON, husband and wife

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

BEREND FRIEHE AND CARLA FRIEHE, husband and wife

whose current address is

2498 ROAD S SW
MOSES LAKE, WA 98837

the grantees, the following described premises, in LEMHI

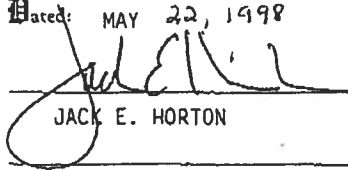
County Idaho, to wit:

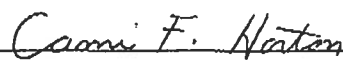
SEE ATTACHED EXHIBIT, "A"

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

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

Dated: MAY 22, 1998

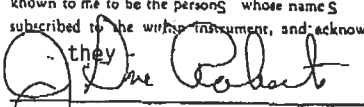

JACK E. HORTON


CAMI F. HORTON

STATE OF IDAHO, COUNTY OF Washington
On this 22 day of May, 1998
before me, a notary public in and for said State, personally appeared

JACK E. HORTON AND CAMI F. HORTON

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


Residing at Wesley Tal Notary Public
Comm. Expires 10-06-2000, Idaho

ALLIANCE

TITLE & ESCROW CORP.

LETTER OF CLOSING INSTRUCTIONS TO ALLIANCE TITLE & ESCROW

ESCROW NO. C-2688-LMS

DATE: June 3, 1998

We, the undersigned, hereby instruct ALLIANCE TITLE & ESCROW hereinafter referred to as the "Closing Agent", when in receipt of all documents and monies as set out herein, to close this transaction according to the following instruction and information:

The parties have entered into a contract for the purchase and sale of the subject property entitled, SALE AGREEMENT dated MAY 2, 1998, hereinafter referred to as the contract. The closing agent is hereby instructed to close the transaction in accordance with the terms of the Contract as well as these instructions, HOWEVER, in the event the terms of the contract and the terms of these instructions shall conflict, the terms of these instructions shall control.

PROPERTY: HES #628 SALMON, IDAHO

BUYER: BEREND FRIEHE AND CARLA FRIEHE

SELLER: GENE RITTER AND EXCHANGE FACILITATOR

TERMS:

Sales Price \$ 275,000.00

Payable as follows:

Earnest Money Deposit	\$ <u>0.00</u>	held by <u>JACK E. HORTON</u>
Cash (approximate)	\$ <u>240,000.00</u>	
Assumption of	\$ _____	
approx. balance owing to	_____	
New Loan amount	\$ _____	from _____
Deed of Trust (Mortgage)	\$ _____	
in favor of	_____	

In the event more than one deed of trust or mortgage is to be recorded in connection with this transaction, said liens shall be recorded in the following order of priority:

1st lien shall be in favor of _____ in the amount of \$ _____
 2nd lien shall be in favor of _____ in the amount of \$ _____

In the event this transaction involves a new loan or assumption of existing loan, these instructions must conform to the instructions of that lender.



ALLIANCE

TITLE & ESCROW CORP.

LETTER OF CLOSING INSTRUCTIONS TO ALLIANCE TITLE & ESCROW

ESCROW NO. E-2688-LMS

DATE: June 3, 1998

We, the undersigned, hereby instruct ALLIANCE TITLE & ESCROW hereinafter referred to as the "Closing Agent", when in receipt of all documents and monies as set out herein, to close this transaction according to the following instruction and information:

The parties have entered into a contract for the purchase and sale of the subject property entitled, SALE AGREEMENT dated MAY 2, 1998, hereinafter referred to as the contract. The closing agent is hereby instructed to close the transaction in accordance with the terms of the Contract as well as these instructions, HOWEVER, in the event the terms of the contract and the terms of these instructions shall conflict, the terms of these instructions shall control.

PROPERTY: PTN OF HES 240 SALMON, IDAHO

BUYER: BEREND FRIEHE AND CARLA FRIEHE

SELLER: JACK E. HORTON AND CAMI F. HORTON

TERMS:

Sales Price \$ 275,000.00

Payable as follows:

Earnest Money Deposit	\$ <u>10,000.00</u>	held by <u>JACK E. HORTON</u>
Cash (approximate)	\$ <u>240,000.00</u>	
Assumption of	\$ _____	
approx. balance owing to	\$ _____	
New Loan amount	\$ _____	from _____
Deed of Trust (Mortgage)	\$ _____	
in favor of	_____	

In the event more than one deed of trust or mortgage is to be recorded in connection with this transaction, said liens shall be recorded in the following order of priority:

1st lien shall be in favor of _____ in the amount of \$ _____
 2nd lien shall be in favor of _____ in the amount of \$ _____

In the event this transaction involves a new loan or assumption of existing loan, these instructions must conform to the instructions of that lender.



ALL THAT PROPERTY LYING AND BEING IN LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: H.E. SURVEY NO. 628, EMBRACING A PORTION OF APPROXIMATELY SECTIONS (19) AND (20) IN T. 18 N., R. 17 E., BOISE MERIDIAN, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 1, FROM WHICH U.S. LOCATION MONUMENT NO. 240 BEARS S. 46 DEGREES 15' W., 13.00 CHAINS DISTANT, THENCE N. 20 DEGREES 43' W. 37.24 CHAINS TO CORNER NO. 2; THENCE S. 82 DEGREES 07' E., 11.72 CHAINS TO CORNER NO. 3; THENCE S. 8 DEGREES 14' E., 22.93 CHAINS TO CORNER NO. 4; THENCE S. 46 DEGREES 35' E., 6.39 CHAINS TO CORNER NO. 5; THENCE N. 52 DEGREES 47' E., 35.34 CHAINS TO CORNER NO. 6; THENCE S. 4 DEGREES 07' E., 7.15 CHAINS TO CORNER NO. 7; THENCE S. 44 DEGREES 18' W., 81.48 CHAINS TO CORNER NO. 8; THENCE S. 33 DEGREES 48' W., 7.20 CHAINS TO CORNER NO. 9; THENCE N. 87 DEGREES 23' W., 4.29 CHAINS TO CORNER NO. 10; THENCE N. 12 DEGREES 12' E. 8.07 CHAINS TO CORNER NO. 11; THENCE N. 38 DEGREES 28' E., 45.74 CHAINS TO CORNER NO. 1, THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT CORNER NO. 10 OF H.E.S. NO. 628, WHICH IS THE POINT OF BEGINNING; RUNNING THENCE N. 12 DEGREES 12' E. 532.62 FEET TO CORNER NO. 11 OF H.E.S. NO. 628; THENCE N. 38 DEGREES 28' E., 1,862.58 FEET TO A POINT ON SAID HOMESTEAD BOUNDARY LINE BETWEEN CORNER NO. 11 AND CORNER NO. 1 THEREOF; THENCE S. 56 DEGREES 0' E., 606.84 FEET TO A POINT ON SAID HOMESTEAD BOUNDARY LINE BETWEEN CORNER NO. 7 AND CORNER NO. 8 THEREOF; THENCE S. 44 DEGREES 18' W., 1,757.61 FEET TO CORNER NO. 8; THENCE S. 33 DEGREES 48' W., 475.20 FEET TO CORNER NO. 9 OF H.E.S. NO. 628; THENCE N. 87 DEGREES 23' W., 283.14 FEET TO CORNER NO. 10 OF H.E.S. NO. 628, THE PLACE OF BEGINNING, ALL IN APPROXIMATELY UNSURVEYED TOWNSHIP 18 N., RANGE 17 E. BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

thru way

	North East	West South
sec	26	27

SCHEDULE C

Commitment

Recorder Form No. 11124

No. 6-7843-C

SCHEDULE C CONTINUED Page 2

DOESN'T FIT #2
EXCEPT #2
THIS DISTANCE MIGHT BE GREATER TO FIT REAROUND DESCRIBED PARCEL CENTER REE IN PHONE ACREAGE TO YOU

ALSO EXCEPTING A FRACTION OF H.E.S. NO. 628, IN APPROXIMATE SECTION (27), T. 18 N., R. 17 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT CORNER NO. 4 OF SAID H.E.S. NO. 628, RUN THENCE N. 8 DEGREES 14' W., ALONG THE EASTERLY BOUNDARY OF H.E.S. NO. 628, A DISTANCE OF 386.85 FEET TO THE POINT OF BEGINNING, AND THE SOUTHEASTERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE S. 76 DEGREES 38' W., 441.9 FEET TO A POINT ON THE WESTERLY BOUNDARY OF H.E.S. NO. 628; THENCE N. 20 DEGREES 43' W., ALONG THE WESTERLY BOUNDARY OF H.E.S. NO. 628; A DISTANCE OF 391.5 FEET; THENCE N. 79 DEGREES 26' E., 212.4 FEET; THENCE N. 0 DEGREES 02' E., 72.5 FEET; THENCE S. 86 DEGREES 50' E., 308.2 FEET TO A POINT ON THE EASTERLY BOUNDARY OF H.E.S. NO. 628; THENCE S. 8 DEGREES 14' E., ALONG THE EASTERLY BOUNDARY OF H.E.S. NO. 628 A DISTANCE OF 362.6 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

EXCEPT #3
A PARCEL OF LAND LOCATED IN H.E.S. NO. 628, NW1/4 OF UNSURVEYED SECTION (27) T. 18 N., R. 17 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT CORNER NO. 2 OF SAID H.E.S. 628, RUN THENCE S. 82 DEGREES 18' 34" E., ALONG LINE 2-3 A DISTANCE OF 772.67 FEET TO CORNER NO. 3 OF SAID H.E.S.; THENCE S. 08 DEGREES 27' 00" E., ALONG LINE 3-4 A DISTANCE OF 764.08 FEET; THENCE N. 87 DEGREES 03' 00" W., A DISTANCE OF 304.23 FEET; THENCE S. 00 DEGREES 11' 00" E., A DISTANCE OF 72.50 FEET; THENCE S. 79 DEGREES 13' 00" W., A DISTANCE OF 212.40 FEET TO A POINT ON LINE 1-2 OF SAID H.E.S.; THENCE N. 20 DEGREES 56' 27" W., ALONG SAID LINE 1-2 A DISTANCE OF 1023.36 FEET TO THE POINT OF BEGINNING.

SCHEDULE C CONTINUED Page 3

ALSO, H.E. SURVEY NO. 240, EMBRACING A PORTION OF THE UNSURVEYED PUBLIC DOMAIN MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT CORNER NO. 1, FROM WHICH U.S. LOCATION MONUMENT NO. 240 BEARS S. 68 DEGREES 59' W., 48.6 CHAINS DISTANT; THENCE N. 4 DEGREES 7' W., 19.28 CHAINS TO CORNER NO. 2; THENCE N. 72 DEGREES 14' E., 27.57 CHAINS TO CORNER NO. 3; THENCE N. 80 DEGREES 43' E., 51.8 CHAINS TO CORNER NO. 4; THENCE S. 9 DEGREES 15' E., 16 CHAINS TO CORNER NO. 5; THENCE S. 75 DEGREES 30' W., 81.2 CHAINS TO CORNER NO. 1, THE PLACE OF BEGINNING.

EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED (5) PARCELS OF LAND WHICH IS A UNITED STATES OF AMERICA FOREST SERVICE ROAD RIGHT-OF-WAY DESCRIBED AS FOLLOWS, TO-WIT:

A FRACTION OF SECTION (27) AND (28), UNSURVEYED, T. (18 N), R. (17 E), B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

PARCEL 1:

COMMENCING AT A POINT WHICH IS S. 80 DEGREES 43' W., 589.03 FEET FROM CORNER NO. 4 OF H.E.S. NO. 240, WHICH POINT IS ON THE NORTH BOUNDARY OF GRANTOR'S LAND; THENCE S. 80 DEGREES 43' W., 2,829.77 FEET TO CORNER NO. 3; THENCE S. 72 DEGREES 14' W., 1,819.62 FEET TO CORNER NO. 2; THENCE S. 4 DEGREES 07' E., 105.50 FEET; THENCE N. 65 DEGREES 21' E., 644.34 FEET; THENCE N. 74 DEGREES 59' E., 697.00 FEET; THENCE N. 68 DEGREES 02' E., 443.52 FEET; THENCE S. 81 DEGREES 47' E., 489.81 FEET; THENCE N. 76 DEGREES 43' E., 492.69 FEET; THENCE S. 89 DEGREES 01' E., 282.23 FEET; THENCE N. 71 DEGREES 45' E., 381.62 FEET; THENCE N. 85 DEGREES 22' E., 294.35 FEET; THENCE N. 72 DEGREES 36' E., 754.81 FEET; THENCE N. 67 DEGREES 09' E., 244.61 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

PARCEL 2:

COMMENCING AT CORNER NO. 6 OF H.E.S. NO. 628, THENCE S. 4 DEGREES 07' E., 105.6 FEET; THENCE S. 61 DEGREES 32' W., 522.24 FEET; THENCE S. 36 DEGREES 28' W., 120.40 FEET; THENCE S. 58 DEGREES 52' W., 229.05 FEET; THENCE S. 59 DEGREES 39' W., 148.25 FEET; THENCE N. 52 DEGREES 47' E., 1,061.90 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

No. 6-7843-C

SCHEDULE C CONTINUED Page 4

PARCEL 3:

COMMENCING AT A POINT WHICH IS N. 52 DEGREES 47' E., 475.64 FEET FROM CORNER NO. 5 OF H.E.S. NO. 628, THIS POINT IS ON BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 5 AND 6; THENCE S. 43 DEGREES 01' W., 68.38 FEET; THENCE S. 53 DEGREES 58' W., 312.00 FEET; THENCE S. 73 DEGREES 59' W., 14.28 FEET; THENCE N. 52 DEGREES 47' E., 392.63 FEET, TO THE POINT OF BEGINNING.

PARCEL 4:

COMMENCING AT A POINT WHICH IS N. 46 DEGREES 35' W., 102.00 FEET FROM CORNER NO. 5 OF H.E.S. NO. 628, THIS POINT BEING STA. 23 + 59.8 OF THE R/W SURVEY AND ON THE BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 4 AND 5; THENCE N. 74 DEGREES 10' W., 133.0 FEET; THENCE S. 60 DEGREES 51' W., 167.8 FEET; THENCE S. 8 DEGREES 37' W., 153.7 FEET; THENCE S. 2 DEGREES 29' W., 255.0 FEET; THENCE S. 11 DEGREES 41' W., 62.3 FEET; THENCE S. 42 DEGREES 53' W., 408.6 FEET; THENCE S. 44 DEGREES 49' W., 75.04 FEET TO A POINT ON THE BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 4 AND 1. THIS POINT BEING ST. 36 + 05.14 OF THE R/W SURVEY AND BEARING S. 38 DEGREES 28' W., 487.06 FEET FROM CORNER NO. 1 OF H.E.S. NO. 628, TOTAL LENGTH OF R/W IN THIS PARCEL IS 1,245.34 FEET.

NEED THIS DOCUMENT
DOES NOT SPECIFY WIDTH OF STRIP
NEED TO HAVE MORE INFORMATION AS TO THE SIZE OF PARCEL 5 ABOVE EXCLUSION. AS WRITTEN HAS 0 ACRES WITH R/W

COMMENCING AT A POINT WHICH IS S. 38 DEGREES 28' W., 966.82 FEET, FROM CORNER NO. 1 OF H.E.S. NO. 628, THIS POINT IS ON BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 11 AND 1, THENCE S. 34 DEGREES 08' W., 236.59 FEET; THENCE S. 54 DEGREES 49' W., 63.57 FEET; THENCE N. 38 DEGREES 28' E., 296.92 FEET, TO THE POINT OF BEGINNING.

PARCEL 6:

COMMENCING AT A POINT WHICH IS N. 38 DEGREES 28' E., 115.79 FEET FROM CORNER NO. 11 OF H.E.S. NO. 628, THIS POINT BEING STA. 60 + 51.08 OF R/W SURVEY AND ON THE BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 11 AND 1, THENCE S. 13 DEGREES 13' W., 163.32 FEET; THENCE S. 22 DEGREES 58' W., 258.7 FEET TO A POINT ON THE BOUNDARY OF GRANTOR'S LAND BETWEEN CORNERS 10 AND 11. THIS POINT BEING STA. 64 + 73.10 OF R/W SURVEY AND BEARING N. 12 DEGREES 12' E., 220.8 FEET, FROM CORNER NO. 10 OF H.E.S. NO. 628.

EXCLUSION FULL ENTIRELY IN 1ST EXCLUSION

RECEIVED

JAN 12 1990

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
Department of Water Resources
Western Regional Office

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED

JAN 11 1990

Ident. Number: A77-04051
Date Received: 12/16/1989
Receipt No: EO 11535/90
Received By: _____

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN - 8 1990

Department of Water Resources
Eastern District Office

1. Name: WORTH BOGGEMAN
Address: HC 61 BOX 3080
CHALLIS, ID

83226

OR

Name: MARY BOGGEMAN
Address: HC 61 BOX 3080
CHALLIS, ID

83226

2. Date of Priority: FEB 06, 1918

3. Source: RAMS CREEK

Trib. to: SILVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
18N	17E	27	SW	SW			LEMHI

5. Description of diverting works:
OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 142.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A77-04051

Page 1

Date: 12/16/89

MICROFILMED

OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	17E	27	NW	SW		IRR	28.0
			SW	SW		IRR	5.0
					Section Acres		33.0
		28	NE	SE		IRR	2.0
			SE	SE		IRR	20.0
					Section Acres		22.0
		33	NE	NE		IRR	2.0
					Section Acres		2.0
					Total Acres		57.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do yes 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): North Boggeman Date: x Dec 31 89
Mary B Boggeman Date: Dec 31, 1989

State of TEXAS)
County of Jack) SS. 466-26-3545
) SS. 453-70-8532

Subscribed and sworn (or affirmed) before me this 4 day

of January 19 90

Sue Fenter
Notary Public



Residing at Jackson, TX
My Commission Expires 8-16-92

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: **A77-04051**
Date Received: 1/ 8/1990
Receipt No: E011535
Received By: _____

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

1. Name: JACK HORTON 208-543-4545
Address: 825 E 4300 N
BUHL ID 83316
OR
Name: PRESTON DIXON 208-543-4545
Address: 825 E 4300 N
BUHL ID 83316

2. Date of Priority: FEB 6, 1918

3. Source: RAMS CREEK Trib. to: SILVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	17E	27	SW	SW			LEMHI

5. Description of diverting works:
OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 142.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	17E	27	NW	SW		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	17E	27	SW	SW		IRR	5.0
						Section Acres	33.0
		28	NE	SE		IRR	2.0
			SE	SE		IRR	20.0
						Section Acres	22.0
		33	NE	NE		IRR	2.0
						Section Acres	2.0
						Total Acres	57.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED BY KW 4/25/1996.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
 _____ Date: _____

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 22 1996

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 18N Range 17E
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____. H.E. SURVEY NOS. 628
 If you have additional legal descriptions, please attach separate sheet. AND 240 (unsurveyed area)

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

☐ Water Right Number(s) A77-04030, A77-04051, A77-04052
 Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): WORTH BOGGEMAN

~~HC 61, BOX 3080 101 Quail Run~~
~~CHALLIS, ID 83226 Jacksboro, Texas 76458-1214~~

☐ New Owner/Claimant (Purchaser): JACK HORTON &/OR PRESTON DIXON

☐ New Mailing Address: 825 E 4300 NO.
BUHL, ID 83316

☐ New Telephone Number: (208) 543-4545

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yesXX 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: N/A

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) _____ Date _____

_____ Date _____

☒ Signature of Former Owner/Claimant(s): Worth & Mary A. Boggeman Date 4/13/96

_____ 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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 4-25-96 By: KW

Claim Numbers of Split, if any:

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

MICROFILMED

OCT 24 1996

RECEIVED

MAY 19 1995

WATER RESOURCES
WESTERN REGION

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: Nov. 1995

LEGAL DESCRIPTION OF PROPERTY: Township 18 No. Range 17 ESEE ATTACHED
 Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____.
 If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) Assigned by IDWR: A77-04030, A7704051, A7704052
- [] Name and Address of Former Owner/Claimant(s)(Seller): WORTH BOGGERMAN
HC ~~63~~ 61 BOX 3080
CHALLIS, ID. 83226
- [] New Owner/Claimant (Purchaser): JACK HORTON ^{MD} PRESTON DIXON
- [] New Mailing Address: 825 E 4300 No.
ISLH, ID 83316
- [] New Telephone Number: (208) 543-4545
- [] 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: 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) [Signature] Date 5/19/95
- [] 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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 4-25-96 By: kw

Claim Numbers of Split, if any:

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

MICROFILMED

OCT 24 1996

WARRANTY DEED

RECEIVED

For Value Received

MAY 19 1995

WATER RESOURCES
WESTERN REGION

WORTH BOGGEMAN and MARY ALICE BOGGEMAN
Husband and Wife,
the grantors , do hereby grant, bargain, sell and convey unto
PRESTON E. DIXON & NADINE F. CHAFFEY, Husband & Wife,
& JACK E. HORTON & CAMI F. HORTON, Husband & Wife,
the grantee s, the following described premises, in Lemhi County Idaho, towit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
their heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantees , that they are the owners in fee simple of said premises; that they
are free from all incumbrances except the lien for taxes for the current year,
any liens and encumbrances of record on this date, and any liens or
encumbrances suffered or created by Grantees prior to the date hereof,
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 1, 1994.

Worth Boggeman
WORTH BOGGEMAN

Mary Alice Boggeman
MARY ALICE BOGGEMAN

STATE OF TEXAS, COUNTY OF JACK

On this 1st day of November, 1994 ,
before me, a notary public in and for said State, personal-
ly appeared

WORTH BOGGEMAN and
MARY ALICE BOGGEMAN

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.

James M. Spiller
Notary Public

Residing at 500 N. 5th St., Jacksboro, Texas 76458

Comm. Expires 3/31/97

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for re-
cord at the request of Lemhi Title

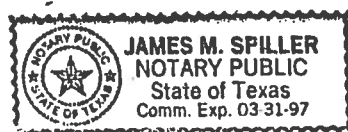
at 3rd minutes past 9 o'clock A. M.,
this 3rd day of November
1994, in my office, and duly recorded in Book
of Deeds at page

Alberta Wiederrick
Ex-Officio Recorder

By *Terri J. Morton* Deputy.

Fees \$ 900

Mall to:



LEMHI TITLE & ABSTRACT — SALMON

MICROFILMED

OCT 24 1996

Preston Dixon

All that property lying and being in Lemhi County, Idaho, more particularly described as follows, to-wit;
 H. E. Survey No. 628, embracing a portion of approximately Sections 19 and 20 in T. 18 N., R. 17 E., Boise Meridian, Idaho, more particularly described as follows: Beginning at Corner #1, from which U. S. Location Monument No. 240 bears S. 46° 15' W. 13.00 chains distant, thence N. 20° 43' W. 37.24 chains to Corner #2; thence S. 82° 07' E. 11.72 chains to Corner #3; thence S. 8° 14' E. 22.93 chains to Corner #4; thence S. 46° 35' E. 6.39 chains to Corner #5; thence N. 52° 47' E. 35.34 chains to Corner #6; thence S. 4° 07' E. 7.15 chains to Corner #7; thence S. 44° 18' W. 81.48 chains to Corner #8; thence S. 33° 48' W. 7.20 chains to Corner #9; thence N. 87° 23' W. 4.29 chains to Corner #10; thence N. 12° 12' E. 8.07 chains to Corner #11; thence N. 38° 28' E. 45.74 chains to Corner #1, the place of beginning. EXCEPTING THEREFROM the following described property: Beginning at Corner #10 of H. E. S. No. 628, which is the point of beginning; running thence N. 12° 12' E. 532.62 feet to Corner #11 of H. E. S. No. 628; thence N. 38° 28' E. 1,862.58 feet to a point on said homestead boundary line between Corner #11 and Corner #1 thereof; thence S. 56° 0' E. 606.84 feet to a point on said homestead boundary line between Corner #7 and Corner #8 thereof; thence S. 44° 18' W. 1,757.61 feet to Corner #9 of H. E. S. No. 628; thence N. 87° 23' W. 283.14 feet to Corner #10 of H. E. S. No. 628, the place of beginning, all in approximately unsurveyed Township 18 N., Range 17 E., Boise Meridian.

ALSO EXCEPTING a fraction of H. E. S. No. 628, in approximate Section 27, T. 18 N., R. 17 E., Boise Meridian, more particularly described as follows, to-wit; Commencing at Corner #4 of said H. E. S. No. 628, run thence N. 8° 14' W. along the Easterly boundary of H. E. S. No. 628 a distance of 386.85 feet to the point of beginning, and the Southeasterly corner of the tract of land herein described, thence S. 76° 38' W. 441.9 feet to a point on the Westerly boundary of H. E. S. No. 628; thence N. 20° 43' W. along the Westerly boundary of H. E. S. No. 628 a distance of 391.5 feet; thence N. 79° 26' E. 212.4 feet; thence N. 0° 02' E. 72.5 feet; thence S. 86° 50' E. 308.2 feet to a point on the Easterly boundary of H. E. S. No. 628; thence S. 8° 14' E. along the Easterly boundary of H. E. S. No. 628 a distance of 362.6 feet to the point of beginning.

ALSO, H. E. Survey No. 240, embracing a portion of the unsurveyed public domain more particularly described as follows: Beginning at Corner #1, from which U. S. Location Monument No. 240 bears S. 68° 59' W. 43.6 chains distant; thence N. 4° 7' W. 19.28 chains to Corner #2; thence N. 72° 14' E. 27.57 chains to Corner #3; thence N. 80° 43' E. 51.8 chains to Corner #4; thence S. 9° 15' E. 16 chains to Corner #5; thence S. 75° 30' W. 81.2 chains to Corner #1, the place of beginning.

ALSO EXCEPTING THEREFROM a United States of America Forest Service Road Right-of-Way described as follows, to-wit:

A fraction of Section 27 and 28, unsurveyed, T. 18 N., R. 17 E., Boise Base Meridian, Idaho, more particularly described as follows, to-wit:

Parcel No. 1:

Commencing at a point which is S. 80° 43' W., 589.03 feet from Corner #4 of H. E. S. No. 240 which point is on the North Boundary of Grantors land, thence S. 80° 43' W., 2,829.77 feet to Corner #3; thence S. 72° 14' W., 1,819.62 feet to Corner #2, thence S. 4° 07' E., 105.50 feet, thence N. 65° 21' E., 644.34 feet, thence N. 74° 59' E., 697.00 feet, thence N. 68° 02' E., 443.52 feet, thence S. 81° 47' E., 489.81 feet, thence N. 76° 43' E., 422.69 feet, thence S. 89° 01' E., 282.23 feet, thence N. 71° 45' E., 381.62 feet, thence N. 85° 22' E., 294.35 feet, thence N. 72° 36' E., 754.61 feet, thence N. 67° 09' E., 244.61 feet, more or less, to the place of beginning.

Parcel No. 2:

Commencing at Corner #6 of H. E. S. No. 628, thence S. 4° 07' E., 1,055 feet, thence S. 61° 32' W., 522.24 feet, thence S. 36° 28' W. 129.40 feet, thence S. 58° 52' W., 229.05 feet, thence S. 59° 39' W., 148.25 feet, thence N. 52° 47' E., 1,061.90 feet, more or less, to the point of beginning.

MICROFILMED

OCT 24 1996

Parcel No. 3:

Commencing at a point which is N. 52° 47' E., 475.64 feet, from Corner #5 of H. E. S. No. 628, this point is on Boundary of Grantors land between Corners #5 and #6; thence S. 43° 01' W., 68.38 feet, thence S. 53° 58' W. 312.00 feet, thence S. 73° 59' W., 14.28 feet, thence N. 52° 47' E., 392.63 feet, to the point of beginning.

Parcel No. 4:

Commencing at a point which is N. 46° 35' W., 102.0 feet, from Corner #5 of H. E. S. No. 628, this point being Sta. 23 + 59.8 of the R/W survey and on the Boundary of Grantors land between Corners #4 and #5, thence N. 74° 10' W., 133.0 feet, thence S. 60° 51' W., 167.8 feet, thence S. 8° 37' W., 153.7 feet, thence S. 2° 29' W., 255.0 feet, thence S. 11° 41' W., 52.3 feet, thence S. 42° 53' W., 408.5 feet, thence S. 44° 49' W., 75.04 to a point on the Boundary of Grantors land between Corners #11 and #1. This point being Sta. 36 + 05.14 of the R/W survey and bearing S. 38° 28' W., 487.06 feet from Corner #1 of H. E. S. No. 628, total length of R/W in this parcel is 1,245.34 feet.

Parcel No. 5:

Commencing at a point which is S. 38° 28' W., 966.82 feet, from Corner #1 of H. E. S. No. 628, this point is on Boundary of Grantors land between Corners #11 and #1, thence S. 34° 08' W., 236.59 feet, thence S. 54° 49' W., 63.57 feet, thence N. 38° 28' E., 296.92 feet, to point of beginning.

AND an easement and right-of-way over the following tracts of land, particularly described as follows: Homestead Entry Survey No. 628 in approximate Sections _____, unsurveyed, T. 18 N., R. 17 E., Boise Base Meridian; and traversing the above described premises by the following general courses and descriptions to-wit:

Commencing at a point which is N. 38° 28' E., 115.79 feet from Corner #11 of H. E. S. No. 628, this point being Sta. 60 + 51.08 of R/W Survey and on the Boundary of Grantors land between Corners #11 and #1, thence S. 13° 13' W., 163.32 feet, thence S. 22° 58' W., 258.7 feet, to a point on the Boundary of Grantors land between Corners #10 and #11. This point being Sta. 64 + 73.10 of R/W Survey and bearing N. 12° 12' E., 220.8 feet, from Corner #10 of H. E. S. No. 628.