

11/25/2005

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

RIGHT NUMBER: 77-14148

NAME AND ADDRESS: MABLE KAY STEWART
PO BOX 563
MC CALL ID 83638

ROBERT R STEWART
PO BOX 563
MC CALL ID 83638

SOURCE: PONY CREEK

TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION:

T21N R07E S2 NWSW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.060 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T21N R07E S02 Lot 5 SENW	1.0	T21N R07E S02	NESW	1.0
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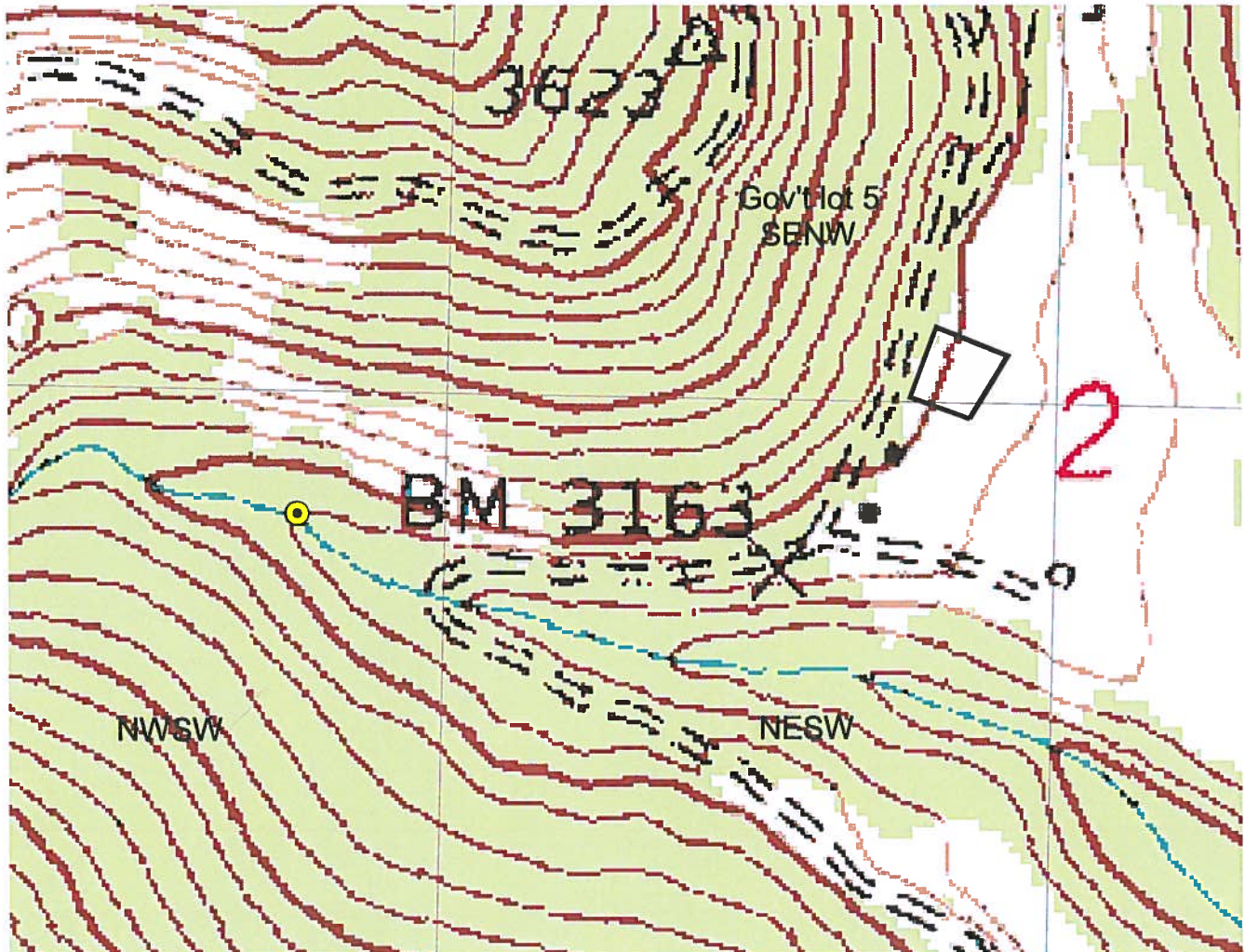
2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-14148



0 300 600 Feet

Section 2
T22N R7E



● Point of Diversion

□ Place of Use

Map prepared on November 25, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

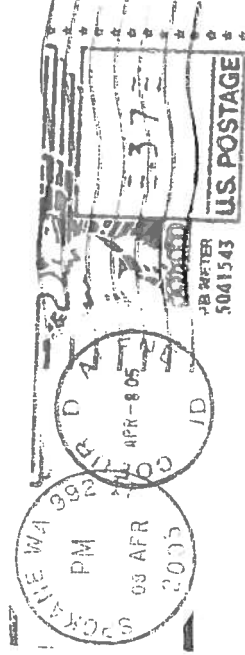
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region Office
1910 Northwest Blvd - Suite 210
Coeur d'Alene, ID 83814-2676

77-14148

RECEIVED
APR 18 2005
IDWR/North

J. Mike & Sherry Stam
3175 First Lane East
Parma, ID 83660

Return to Sender -
No longer at this
address





State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

APR 18 2005

IDWR/North

April 8, 2005

J. Mike & Sherry Stam
3175 First Lane East
Parma, ID 83660

Dear Mr. & Mrs. Stam:

I believe we have determined a portion of a water right that may be part of your property in the Barkell Ranch area. Would you please describe how you have been using the water?

Sincerely,

Kenneth Knoblock
Water Resources Agent

3/16/05

PMO100 - PARCEL MASTER INQUIRY

12:20:37

PARCEL: RP 21N07E021490 A

F17=DD F19=SP

LEGAL DESCRIPTION

STAM, J. MIKE
& STAM, SHERRY H.

S2 T21N R7E
TAX NO. 25 IN TRACT 6 OF THE
BARKELL RANCH SURVEY +
ProVal Area Number 1
CODE AREA 4-0000 OWNER CD
PARC TYPE LOC CODE 4700
EFFDATE 1011994 EXPDATE
PREV PARCEL RP21N07E021490A

17680 N.W. WILLIS RD

MC MINNVILLE OR 97128

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2001	3062	AC	15350				

TOTALS

3062

15350

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

Bare Land



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

December 14, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Change of Water Right Ownership

J. Mike and Sherry Stam
3175 First Lane East
Parma, ID 83660

Dear Mr. and Mrs. Stam:

We have reviewed the notice of change of water right ownership forms that you submitted in July of 1994. Upon a review of SRBA (Snake River Basin Adjudication) claims and our existing water right records, I could not locate any water rights for the lands you purchased from the Leavitts and Hartungs. I am, therefore, returning the Notice of Change of Water Right Ownership forms to you. If, after contacting the former owner, you find more information concerning a water right, please contact us.

I platted out the metes and bounds description in Exhibit "A" and then transferred it onto a topographical map. Enclosed is the map which I prepared for your information. If the property is not located where I have marked it, please advise me. If you use water on this property, you may want to come in and file the appropriate forms for your uses.

If we can be of any further assistance to you, please feel free to contact us.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED
OCT 24 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.
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: 77-4169

☐ Name and Address of Former Owner/Claimant(s)(Seller): Barkell Ranch

☐ New Owner/Claimant (Purchaser): J Mike Stam & Sherry Stam

☒ New Mailing Address: 3175 first lane East
Parma Idaho 83660

☒ New Telephone Number: (208) 674-2616

☐ 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:

3.1 acres - see attach map
Add: domestic / house (1)
: stockwater

☒ Attach proof of ownership, describe proof attached: _____

(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 7/14/94

Date _____

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

Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

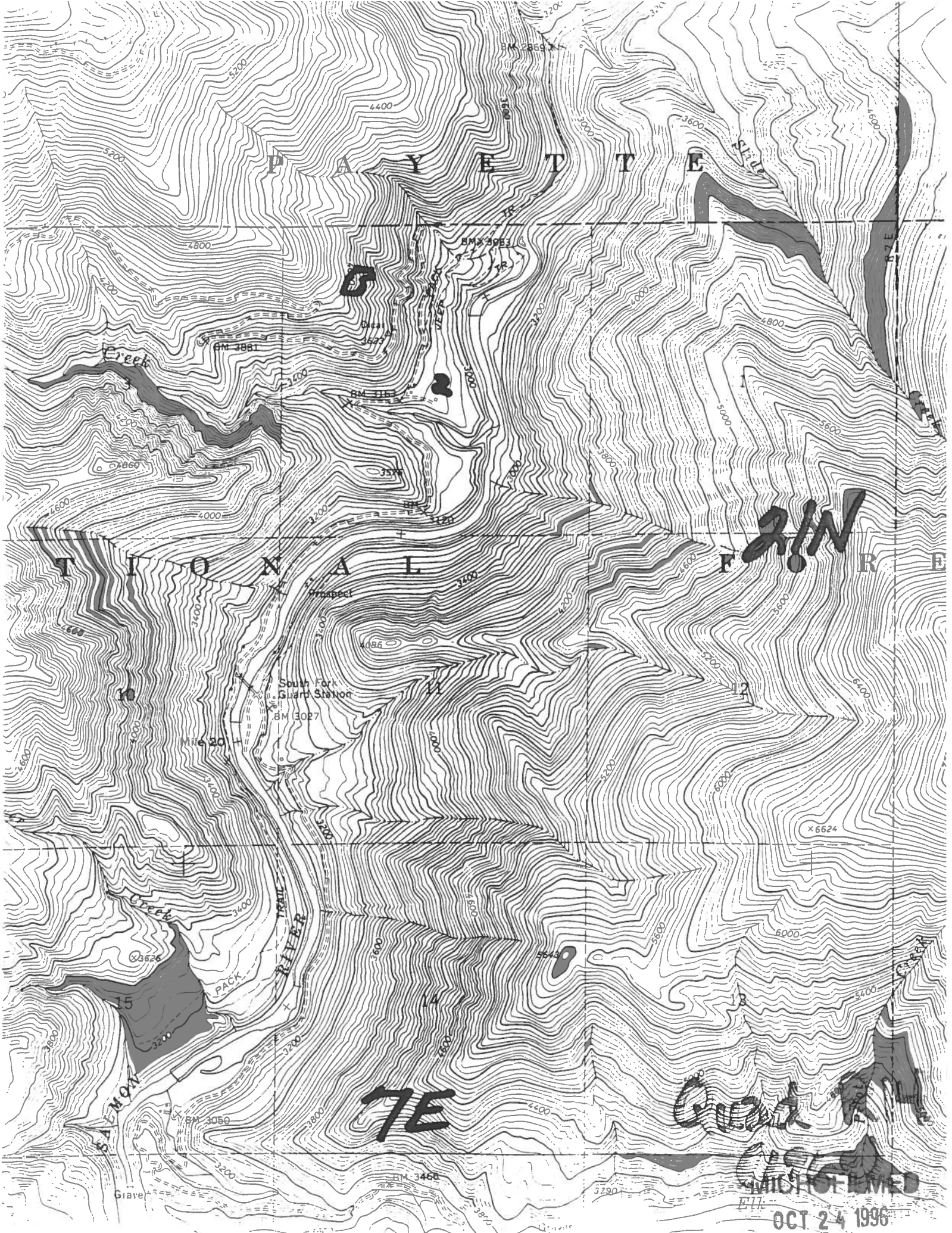
Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED

007 01 1000

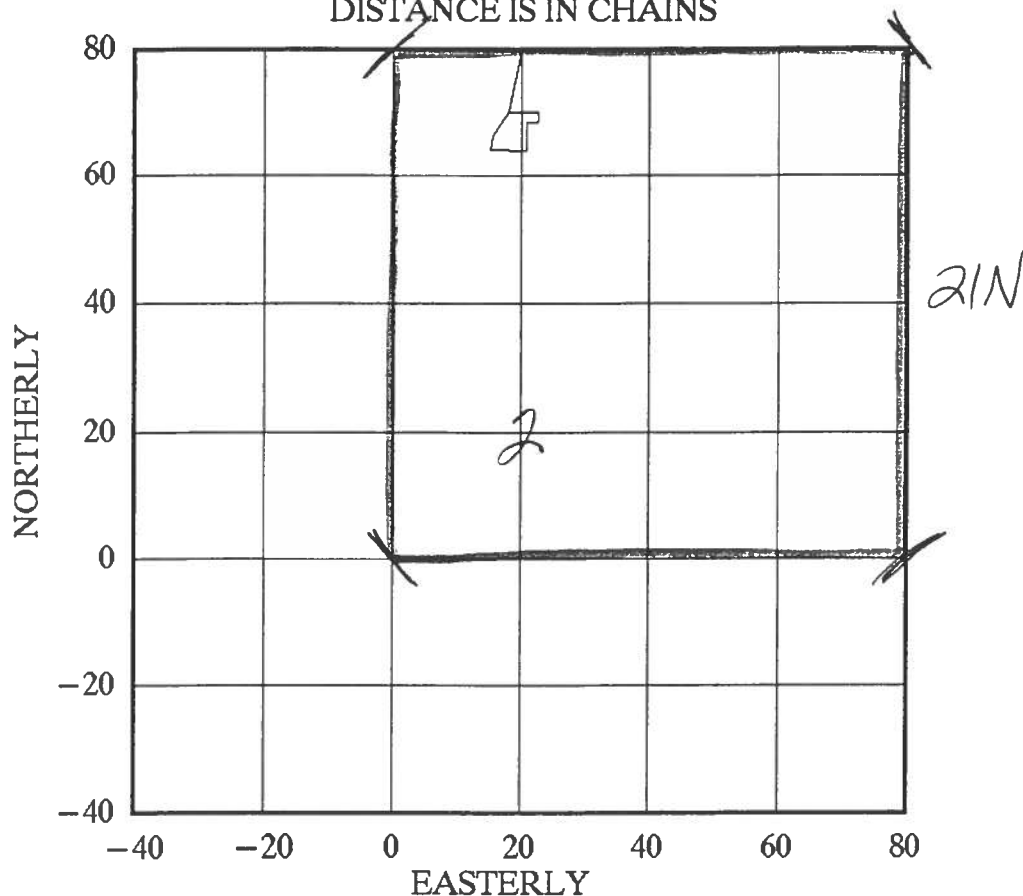


OCT 24 1996

NO claims
in A.T. for
NWNW -
BIA claims
A77-13450
in NENW -

NO W.R. For
NENW - NO
W.R. For
NWNW

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



kw
12-14-95

MEETS AND BOUNDS TABLE

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
		DEGREES	MINUTES	SECONDS		
20.00	80.00					
17.95	69.95	11.00	30.00	43.00	SW	676.76
22.62	69.96	89.00	51.00	43.00	NE	307.89
22.62	68.28	0.00	8.00	17.00	SE	110.88
20.93	68.28	89.00	51.00	43.00	SW	111.88
20.94	63.89	0.00	8.00	17.00	SE	290.00
15.15	64.14	87.00	31.00	45.00	NW	382.10
15.65	66.31	12.00	58.00	15.00	NE	147.01
18.02	69.95	32.00	56.00	35.00	NE	286.58

KW
12-14-95

MICROFILMED

OCT 24 1996

WARRANTY DEED

For Value Received Byron Leavitt and Leona Leavitt, husband and wife, and Morris Hartung and Mary Hartung, husband and wife, and David Hartung,

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

J. Mike Stam and Sherry H. Stam, husband and wife,

whose address is: 3175 1st Lane East, Parma, ID 83660

Hereinafter called the Grantee, the following described premises situated in Valley County, Idaho, to-wit:

See exhibit "A"

Subject to current year's taxes, irrigation district assessments, public utility easements, subdivision restrictions and U.S. Patent reservations, any easements in use or of record.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 25 1994

Byron Leavitt
Byron Leavitt

Leona Leavitt
Leona Leavitt

Morris Hartung

Mary Hartung

David Hartung

MAY 9 3 14 PM '94
TYPE: Deed #9
BY: JET
FEE: 9.00

203790
CENTRAL IDAHO TITLE
REQUESTED BY:
RECORDED

MICROFILMED

OCT 24 1996

STATE OF Idaho)
COUNTY OF Owyhee) ss.

On this 25 day of April, 1994 before me, the undersigned Notary Public, personally appeared Byron Leavitt and Leona Leavitt, known or identified 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.

(SEAL)

Paul B. Bull
Notary Public State of Idaho
Residing at: Homestead
My Commission Expires: 4/2/97

STATE OF)
COUNTY OF) ss.

On this _____ day of _____, 19____ before me, the undersigned Notary Public, personally appeared Morris Hartung and Mary Hartung, known or identified to me to be the person(s) whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

(SEAL)

Notary Public State of _____
Residing at: _____
Commission Expires: _____

STATE OF)
COUNTY OF) ss.

On this _____ day of _____, 19____ before me, the undersigned Notary Public, personally appeared David Hartung, known or identified to me to be the person(s) whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

(SEAL)

Notary Public State of _____
Residing at: _____
Commission Expires: _____

MICROFILMED
OCT 24 1996

WARRANTY DEED

For Value Received Byron Leavitt and Leona Leavitt, husband and wife, and Morris Hartung and Mary Hartung, husband and wife, and David Hartung,

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

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See exhibit "A"

Subject to current year's taxes, irrigation district assessments, public utility easements, subdivision restrictions and U.S. Patent reservations, any easements in use or of record.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

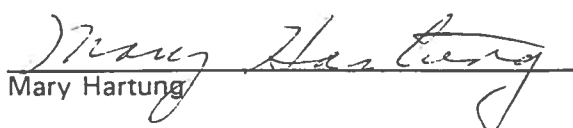
Dated: 4-25-94

Byron Leavitt

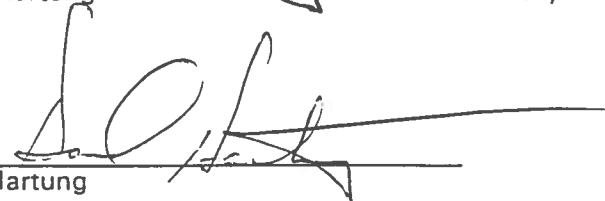
Leona Leavitt



Morris Hartung



Mary Hartung



David Hartung

203709
CENTRAL IDAHO TITLE
REQUESTED BY
RECORDED
MAY 5 3 04 PM '94
TYPE: Deed #9
BY: J. V. Gentry
FEE: \$100.00
VALLEY COUNTY
IDAHO

MICROFILMED
OCT 24 1996

STATE OF)
COUNTY OF) ss.

On this _____ day of _____, 19____ before me, the undersigned Notary Public, personally appeared Byron Leavitt and Leona Leavitt, known or identified 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.

(SEAL)

Notary Public State of
Residing at:
My Commission Expires:

STATE OF IDAHO)
COUNTY OF PAYETTE) ss.

On this 28th day of APRIL, 1994 before me, the undersigned Notary Public, personally appeared Morris Hartung and Mary Hartung, known or identified to me to be the person(s) whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

(SEAL)

[Signature]
Notary Public State of IDAHO
Residing at: PAYETTE
Commission Expires: 3-9-00

STATE OF Idaho)
COUNTY OF Idaho) ss.

On this 25th day of April, 1994 before me, the undersigned Notary Public, personally appeared David Hartung, known or identified to me to be the person(s) whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

(SEAL)

Ed Kerner
Notary Public State of Idaho
Residing at: HC67 - Grandjeville
Commission Expires: 3/1998

MICROFILMED
OCT 24 1996

The Westerly portion of Tract 6 of BARKELL RANCH SURVEY, in Section 2, Township 21 North, Range 7 East, B.M., Valley County, Idaho, recorded July 18, 1978 under Instrument No. 96725, records of Valley County, Idaho, more particularly described as follows:

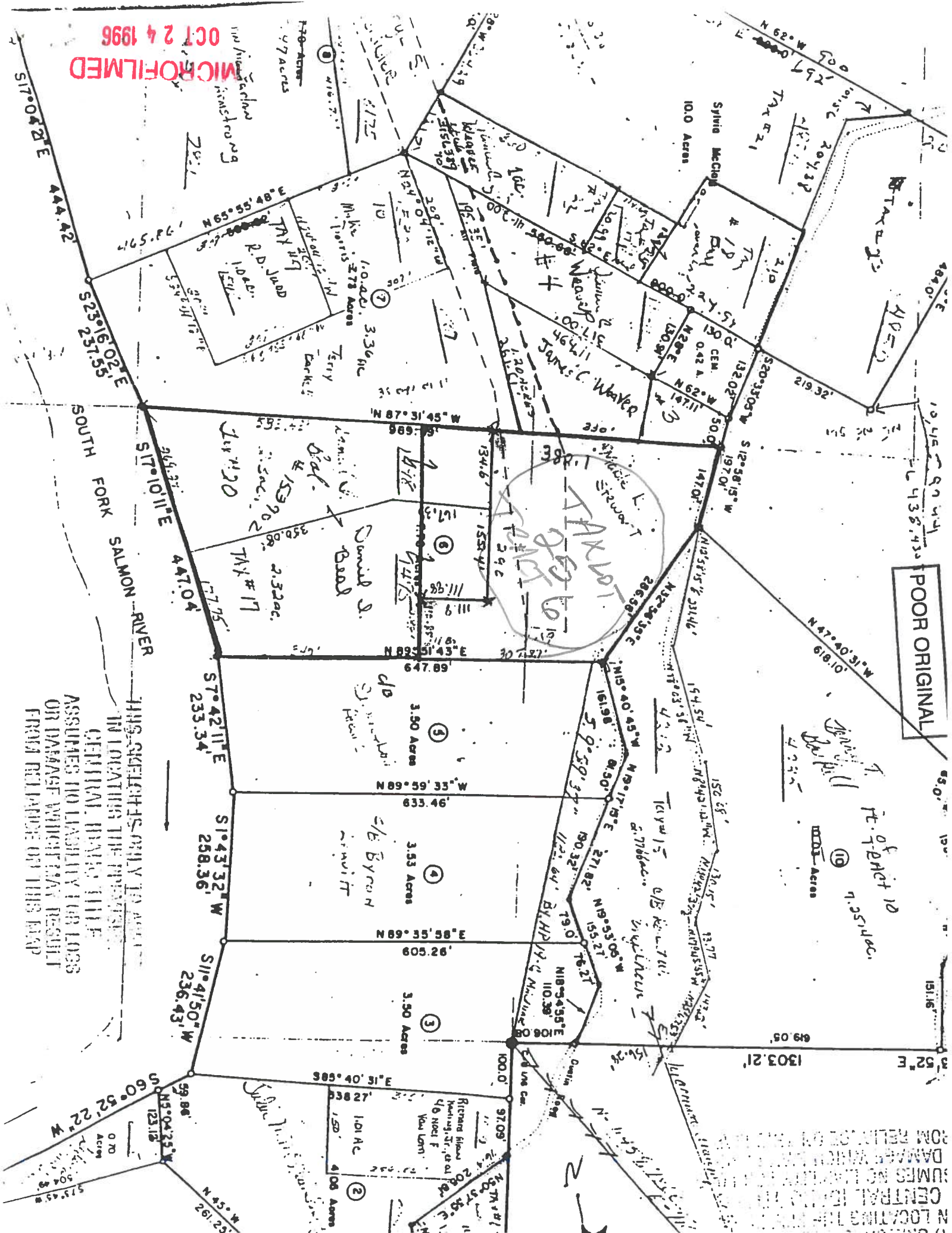
Commencing at the center-north 1/16 corner of Section 2, T-21-N, R-7-E, B.M.; thence South 11° 30' 43" West, 676.76 feet to the True Point of Beginning; thence North 89° 51' 43" East, 307.89 feet to a point; thence S. 0° 08' 17" E., 110.88 feet to a point; thence South 89° 51' 43" West, 111.88 feet to a point; thence South 0° 08' 17" East, 290.00 feet to a point; thence North 87° 31' 45" West, 382.1 feet to a point, which point is the Southwest corner of said Tract No. 6 of BARKELL RANCH SURVEY; thence North 12° 58' 15" East, 147.01 feet to a point; thence North 32° 56' 35" East, 286.58 feet to the true point of beginning.

Subject to an easement for a two inch water line crossing the above parcel for the private use of Byron and Leona Leavitt.

Subject to all existing, reserved, and/or granted easements, restrictions and rights of way.

MICROFILMED
OCT 24 1996

MICROFILMED
OCT 24 1996



THIS SURVEY IS ONLY TO LOCATE
THE LOCATION OF THE PROPERTY
CENTRAL IN THE TITLE
ASSUMED TO LIABILITY FOR LOSS
OR DAMAGE WHICH MAY RESULT
FROM RELIANCE ON THIS MAP

POOR ORIGINAL

1. ft. of 10
10. 7.51400.
1000 Acres

N LOCATING THE
CENTRAL IN THE TITLE
DAMAGES NO LIABILITY
FROM RELIANCE ON THIS MAP

VALLEY COUNTY ASSESSOR
BOX 758
CASCADE, ID 83611

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. RP 21N07E021490 A

TAX CODE 4-00

LOTS / ACRES

MARKET VALUE

CATEGORY DESCRIPTION
1208 RURAL RES TR 1347

3.062 AC

8,293

1994

3.062

8,293*

TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
shown on this statement.

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 27, 1994

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PREVIOUS NUMBER
21N07E

RP21N07E021490A

AX NO. 25 IN TRACT 6 OF THE
ARKELL RANCH SURVEY
TAL: GYRON & LEONA LEAVITT;
DAVID HARTUNG

Mail To:

HARTUNG, MORRIS & MARY, ETAL
BOX 147
PAYETTE, ID 83661

MICROFILMED

OCT 24 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 8, 2005

J. Mike & Sherry Stam
3175 First Lane East
Parma, ID 83660

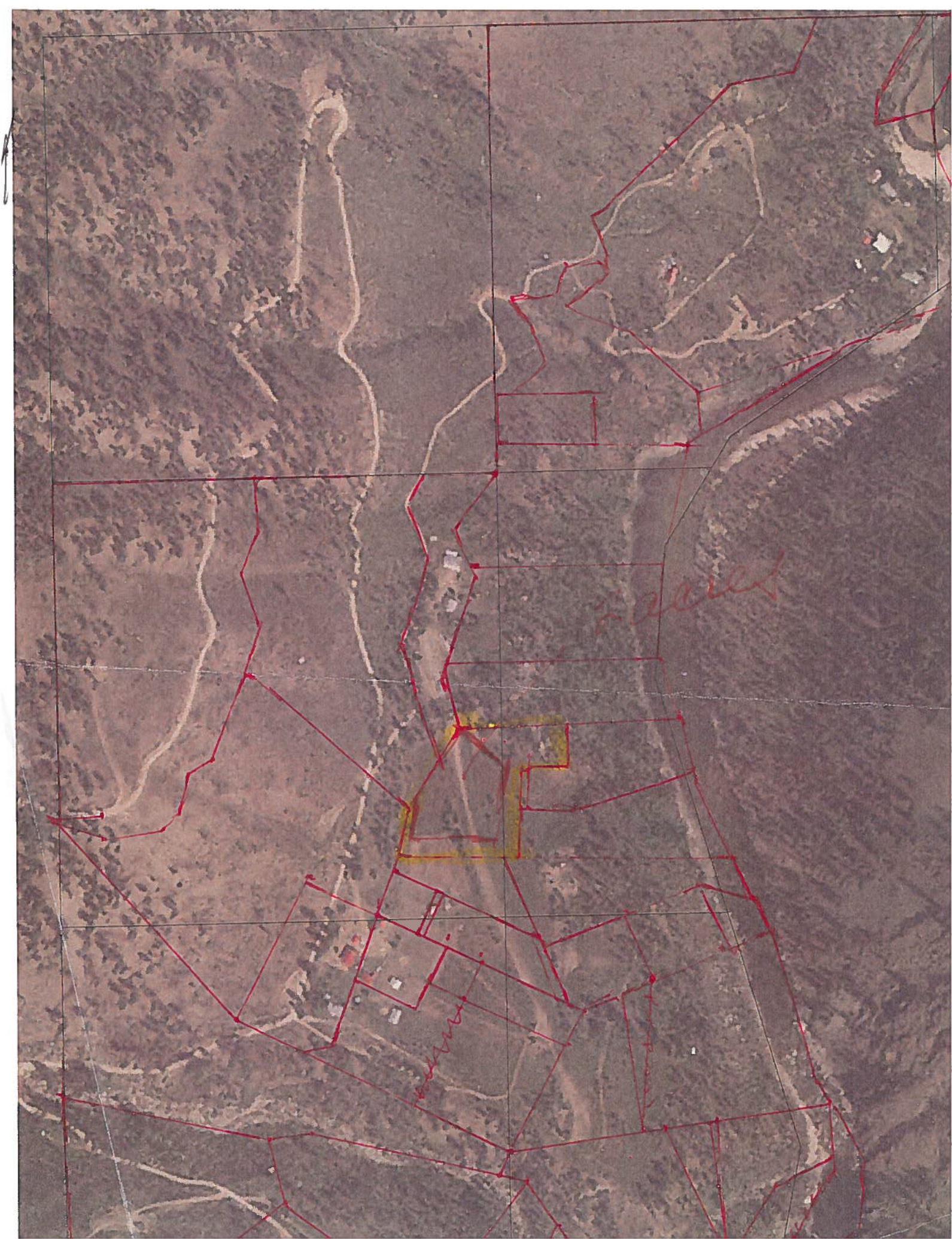
Dear Mr. & Mrs. Stam:

I believe we have determined a portion of a water right that may be part of your property in the Barkell Ranch area. Would you please describe how you have been using the water?

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent



2



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 77-14148
Date Received: 11/16/1988
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MABLE KAY STEWART
PO BOX 563
MC CALL ID USA 83638

Phone: (208)634-2341

ROBERT R STEWART
PO BOX 563
MC CALL ID USA 83638

Phone: (208)634-2341

2. Date of Priority: 01/01/1879

3. Source: PONY CREEK Trib. to: SALMON RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
21N	07E	2	NW SW	VALLEY	

5. Description of diverting works:

HEADGATE AND 3' BY 2' DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/01	0.32 ¹⁸	
STOCKWATER	01/01	12/31	0.01	
DOMESTIC	01/01	12/31	0.02	

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

"21

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 5 HEAD CATTLE & HORSES

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	07E	2	SE	NW	STOCKWATER	
			SE	NW	5 IRRIGATION	10
			NE	SW	IRRIGATION	5
			SE	NW	DOMESTIC	
					Section Acres	15
					Total Acres	15

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:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 77-13846

15. Basis of Claim: Beneficial Use

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

RECEIVED
JUL 30 2002
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.

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
77-13846					
77-4169A V.1					
77-4169B					

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**.

Name and Address of Former
 Owner/Claimant(s)

New Owner/Claimant(s)

Donald K. Stritzke or Jaclyn M. Stritzke
 Name Connector (Check one): ☐ and, ☒ or ☐ and/or

New Mailing Address

16247 Lonkey Ln

City, State and ZIP Code

Caldwell ID 83607

New Telephone Number

(208) 454-7817

Date you acquired the property

6-1-~~88~~ 93

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)

Donald K. [Signature]

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

For Office Use Only

Received by <u>DH</u>	Date <u>7/30/02</u>	Fee <u>0</u>
Received by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

RECEIVED

SEP 06 2002

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

For Value Received ROBERT R. STEWART and MABLE K. STEWART, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DONALD STRITZKE and JACLYNN STRITZKE, husband and wife,

whose address is: 404 CHAPARRO, CALDWELL, ID 83605

Hereinafter called the Grantee, the following described premises situated in Valley County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Subject to current year's taxes, public utility easements, subdivision restrictions and U.S. Patent reservations, any easements in use or of record.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 8, 1995

Robert R. Stewart
Robert R. Stewart

Mable K. Stewart
Mable K. Stewart

STATE OF Idaho)
COUNTY OF Valley) ss.

On this 8th day of SEPTEMBER, 1995 before me, the undersigned Notary Public, personally appeared ROBERT R. STEWART and MABLE K. STEWART, known or identified 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.

(SEAL)

Michael R. Anderson
Notary Public State of Idaho
Residing at: Malac
My Commission Expires: 1-29-99

EXHIBIT "A"

THOMAS W. KERR
PLS 998

KERR SURVEYING
P.O. BOX 853
McCALL, IDAHO 83638
(208) 634-2686
August 29, 1995

JOEL W. DROULARD
PLS 5357

SYLVIA McCLAIN 10.0 ACRE REMAINDER

A parcel of land situate in Section 2, T. 21 N., R. 7 E., B.M., Valley County, Idaho, being a part of the Sylvia McClain 10.0 acre parcel as shown on that particular Record of Survey recorded in Book 1, Page 1 of Records of Survey in the Office of the Recorder of Valley County, Idaho, more particularly described as follows:

Commencing at the CS 1/16 Corner of Section 2, T. 21 N., R. 7 E., B.M., Valley County, Idaho; thence, N. 20° 34' 02" W., 1,597.63 feet to the northwesterly corner of said Sylvia McClain 10.0 acre parcel, the REAL POINT OF BEGINNING:

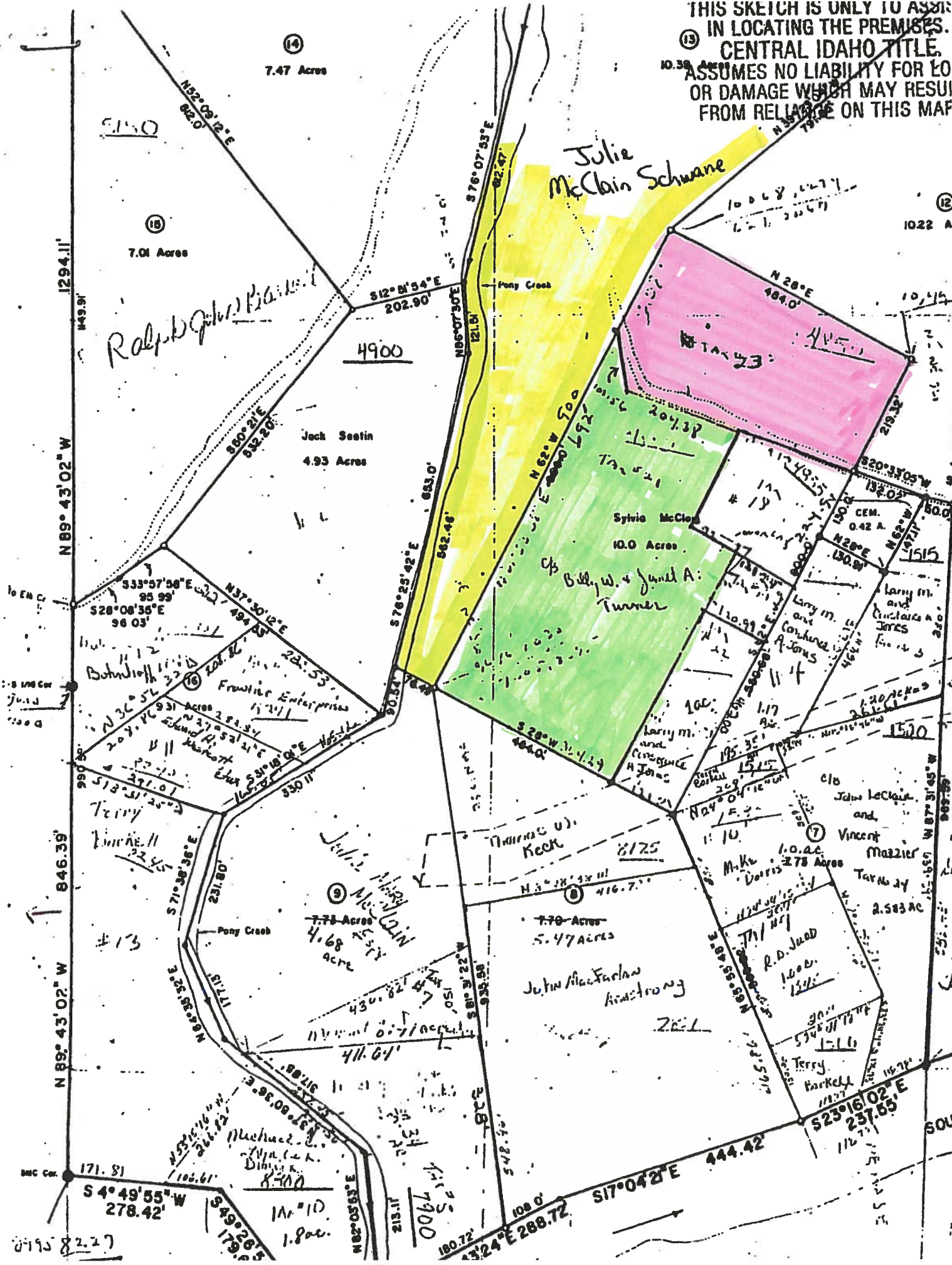
Thence, S. 62° 00' 00" E., 207.88 feet along the northeasterly boundary of said 10.0 acre parcel,
thence, S. 20° 46' 00" W., 210.00 feet,
thence, S. 60° 36' 37" E., 17.00 feet,
thence, S. 20° 34' 30" W., 204.38 feet,
thence, S. 72° 18' 39" W., 101.56 feet to the southwesterly boundary of said 10.0 acre parcel,
thence, N. 61° 53' 58" W., 207.04 feet to the southwesterly corner of said 10.0 acre parcel,
thence, N. 28° 01' 44" E., 483.72 feet to the Point of Beginning, containing 2.695 acres, more or less.

Bearings based on record bearing of the northeasterly line of the 10.0 acre parcel.

A.S.

213473
TYPE: Book #10
LELAND HEINRICH
VALLEY COUNTY RECORDER
BY: Joel Droulard
FEE: 6.00
'95 SEP 13 PM 3 37
CENTRAL IDAHO TITLE
REQUESTED BY _____
RECORDED

THIS SKETCH IS ONLY TO ASSIST
IN LOCATING THE PREMISES.
CENTRAL IDAHO TITLE
ASSUMES NO LIABILITY FOR LOSS
OR DAMAGE WHICH MAY RESULT
FROM RELIANCE ON THIS MAP



RECEIVED
SEP 06 2002
WATER RESOURCES
WESTERN REGION

WARRANTY DEED

For Value Received Julia Mary McClain Espy, also known as Julie McClain Schwane, now known as JULIE M. SCHWANE

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DONALD STRITZKE and JACLYNN STRITZKE, husband and wife,

whose address is: 404 CHAPARRO, CALDWELL, ID 83605

Hereinafter called the Grantee, the following described premises situated in Valley County, Idaho, to-wit:

TRACT NO. 13 OF THE BARKELL RANCH SURVEY, of record July 18, 1978 as Instrument No. 96725, records of Valley County, Idaho.

SUBJECT TO: A ditch across the above tract of land from Pony Creek, which shall continue to serve the above described tract No. 13 and the other adjacent tracts.

Subject to current year's taxes, public utility easements, subdivision restrictions and U.S. Patent reservations, any easements in use or of record.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: 9-7-95

Julie M. Schwane
Julie M. Schwane

STATE OF Idaho)
COUNTY OF Valley) ss.

On this 7th day of SEPTEMBER, 1995 before me, the undersigned Notary Public, personally appeared JULIE M. SCHWANE, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

(SEAL)

Michael R. Hudson
Notary Public State of Idaho
Residing at: McCall

My Commission Expires: 12-9-99

213471
TYPED: Bud #110
LEON HENRICH
VALLEY COUNTY RECORDS
BY: Steph V. Jones
FEE: 3.00
'95 SEP 13 PM 3 38
CENTRAL IDAHO TITLE
REQUESTED BY _____
RECORDED

SCHEDULE C

T-4850

The land referred to in this policy is situated in the State of Idaho, County of Valley and is described as follows:

Parcel A:

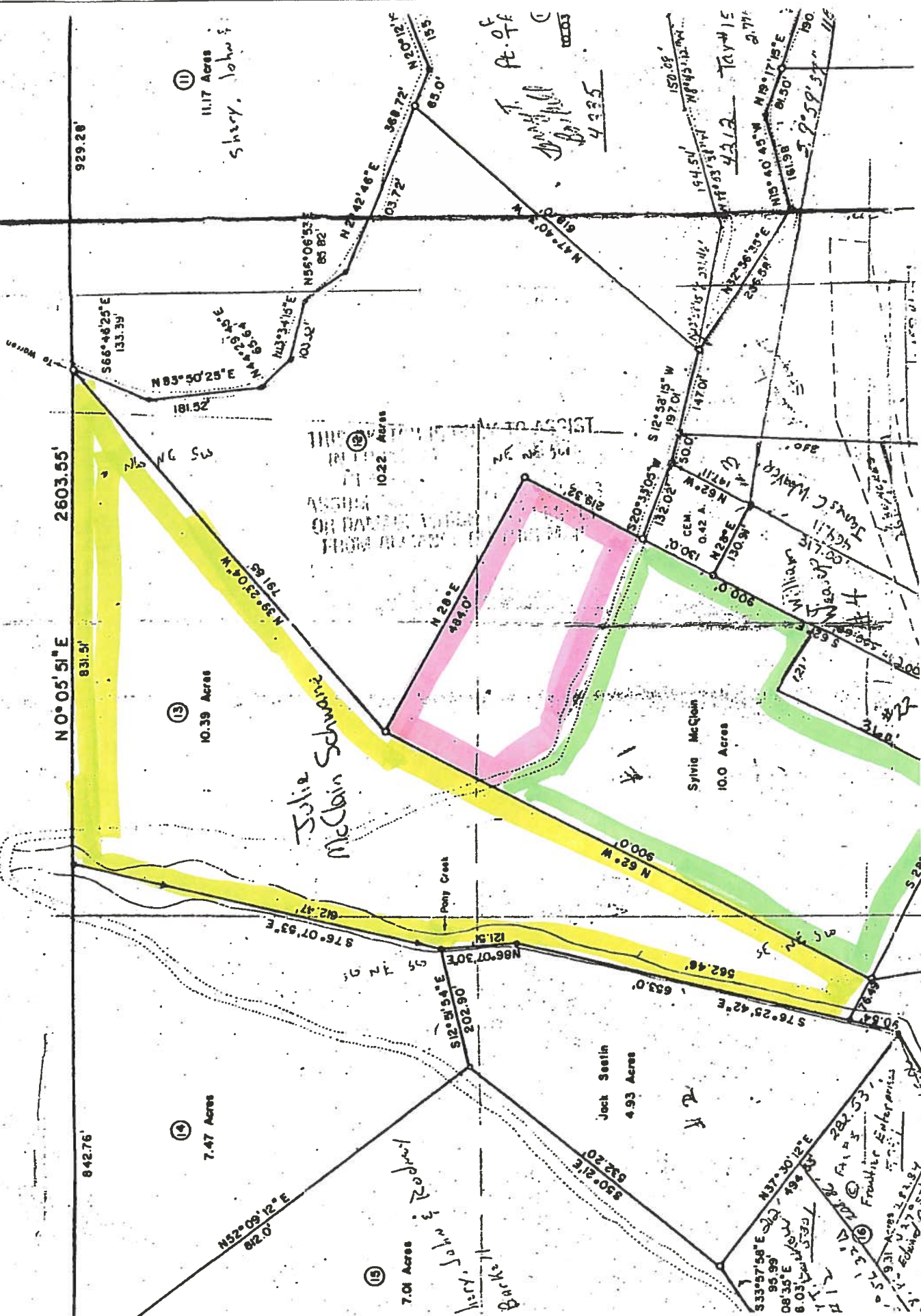
Tract No. 13 of the Barkell Ranch Survey, of record July 18, 1978 as Instrument No. 96725, records of Valley County, Idaho.

Parcel B:

A parcel of land situate in Section 2, T. 21 N., R. 7 E., B.M., Valley County, Idaho, being a part of the Sylvia McClain 10.0 acre parcel as shown on that particular Record of Survey recorded in Book 1, Page 1 of Records of Survey in the Office of the Recorder of Valley County, Idaho, more particularly described as follows:

Commencing at the CS 1/16 Corner of Section 2, T. 21 N., R. 7 E., B.M., Valley County, Idaho; thence, N. 20° 34' 02" W., 1,597.63 feet to the northwesterly corner of said Sylvia McClain 10.0 acre parcel, the REAL POINT OF BEGINNING: Thence, S. 62° 00' 00" E., 207.88 feet along the northeasterly boundary of said 10.0 acre parcel, thence, S. 20° 46' 00" W., 210.00 feet, thence, S. 60° 36' 37" E., 17.00 feet, thence, S. 20° 34' 30" W., 204.38 feet, thence, S. 72° 18' 39" W., 101.56 feet to the southwesterly boundary of said 10.0 acre parcel, thence, N. 61° 53' 58" W., 207.04 feet to the southwesterly corner of said 10.0 acre parcel, thence, N. 28° 01' 44" E., 483.72 feet to the Point of Beginning. Bearings based on record bearing of the northeasterly line of the 10.0 acre parcel.

SECTION 21 T.21N., R.7E.,
VALLEY COUNTY, IDAHO



WARRANTY DEED

For Value Received Billy W. Turner and Janet A. Turner, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Donald K. Stritzke and Jaclynn M. Stritzke, husband and wife,

whose address is: 404 Chaparro, Caldwell, ID 83605

Hereinafter called the Grantee, the following described premises situated in Valley County, Idaho, to-wit:

See Exhibit "A"

Subject to current year's taxes, public utility easements, subdivision restrictions and U.S. Patent reservations.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: 5/29/93

Billy W. Turner
Billy W. Turner

Janet A. Turner
Janet A. Turner

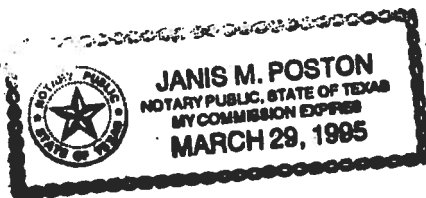
STATE OF TEXAS

COUNTY OF

) ss.
)

On this 28 day of May, 1993 before me, the undersigned Notary Public, personally appeared Billy W. Turner and Janet A. Turner, known or identified to me to be the person(s) whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.

(SEAL)



Janis M. Poston
Notary Public State of Texas
Residing at: Houston, Texas
Commission Expires: 3-29-95

EXHIBIT A

A parcel of land situate in Section 2, T.21N., R.7E., B.M., Valley County, Idaho, being a portion of the Sylvia McClain 10 acre parcel as shown on the Record of Survey on file in Book 1, Page 1 of Records of Survey in the Office of the Recorder of Valley County, Idaho, more particularly described as follows:

Commencing at the Northeasterly corner of the Sylvia McClain 10 acre parcel as shown on the Record of Survey on file in Book 1, Page 1 of Records of Survey in the Office of the Recorder of Valley County, Idaho, a 5/8" rebar; thence, S. 28° 01' 16" W., 121.00 feet along the Southeasterly line of said 10 acre parcel to a 1/2" x 24" rebar, **THE REAL POINT OF BEGINNING:**

Thence, S. 28° 01' 16" W., 364.29 feet to the Southerly corner of said 10 acre parcel, a 5/8" rebar with an aluminum cap,
thence, N. 61° 53' 58" W., 692.66 feet along the southwesterly line of said 10 acre parcel to a 1/2" x 24" rebar,
thence, N. 72° 18' 39" E., 101.56 feet to a 1/2" x 24" rebar,
thence, N. 20° 34' 30" E., 204.38 feet to a 1/2" x 24" rebar,
thence, S. 60° 36' 37" E., 167.67 feet to a 1/2" x 24" rebar,
thence, N. 31° 44' 00" E., 92.00 feet to a 1/2" x 24" rebar,
thence, S. 62° 00' 00" E., 474.65 feet on a line parallel to the Northeasterly boundary of said 10 acre parcel, to The Point of Beginning.

Subject to a 20.00 foot wide utility and access easement along the Northeasterly boundary of the above described parcel, more particularly described as follows:

Commencing at the Northeasterly corner of the Sylvia McClain 10 acre parcel as shown on the Record of Survey on file in Book 1, Page 1 of Records of Survey in the Office of the Recorder of Valley County, Idaho, a 5/8" rebar; thence, S. 28° 01' 16" W., 121.00 feet along the Southeasterly line of said 10 acre parcel to a 1/2" x 24" rebar, **The Real Point of Beginning;**

Thence, S. 28° 01' 16" W., 20.00 feet along the Southwesterly line of said 10 acre parcel,
thence, N. 62° 00' 00" W., 475.95 feet,
thence, N. 31° 44' 00" E., 20.04 feet to a 1/2" x 24" rebar,
thence, S. 62° 00' 00" E., 474.65 feet to the Point of Beginning.

Bearings based on bearing of Northeasterly boundary of said 10 acre parcel.

196789

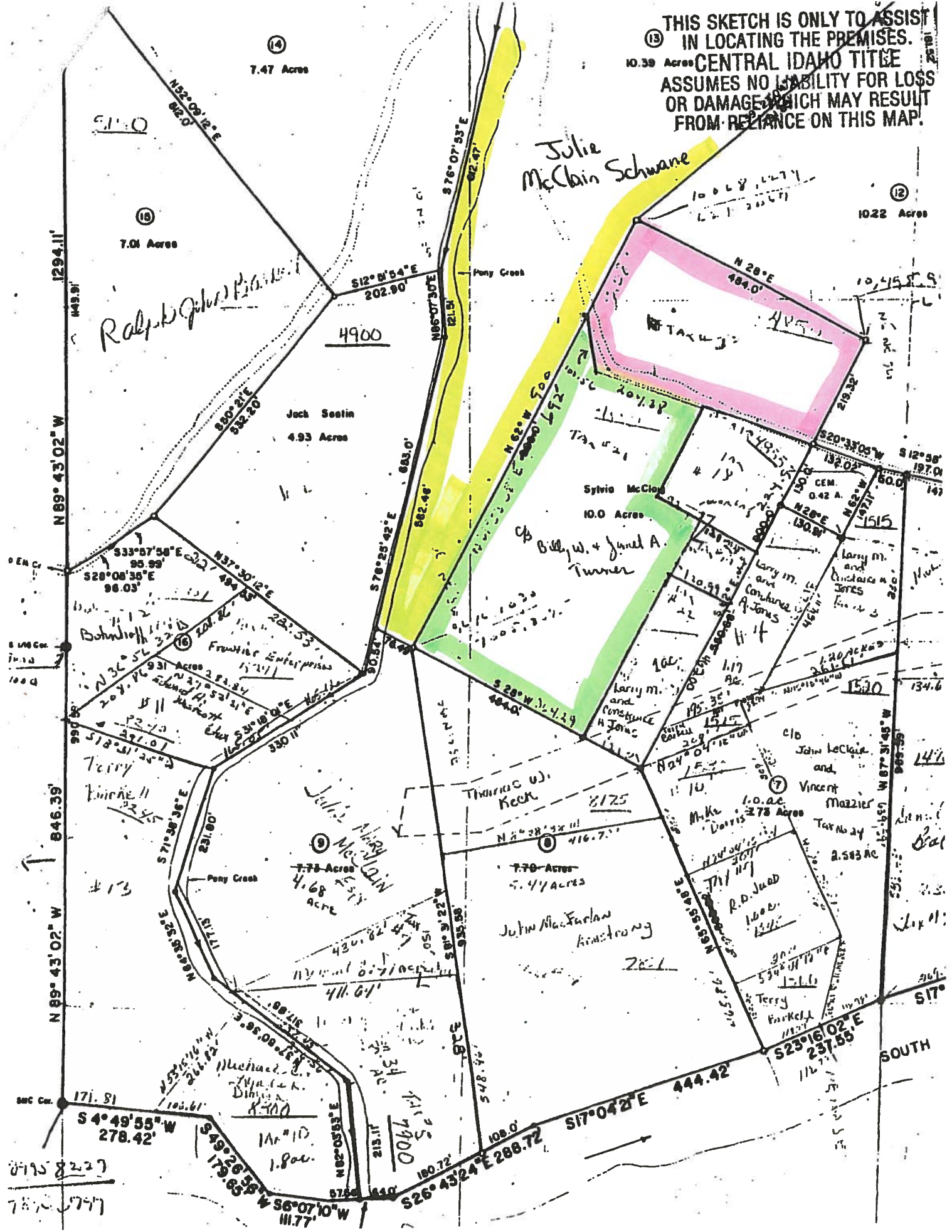
CENTRAL IDAHO TITLE

REQUESTED BY:
RECORDED

JUN 17 2 47 PM '93

TYPE: Deed #8
LELAND
VALLEY COUNTY
BY: [Signature]
FEE: [Signature]

THIS SKETCH IS ONLY TO ASSIST
IN LOCATING THE PREMISES.
CENTRAL IDAHO TITLE
ASSUMES NO LIABILITY FOR LOSS
OR DAMAGE WHICH MAY RESULT
FROM RELIANCE ON THIS MAP.



10/6/02

RECEIVED

OCT 08 2002

WATER RESOURCES
WESTERN REGION

Denise,

The irrigated land is
marked on the map. The
total area irrigated is 5-6
acres. Thanks for your
help.

Sincerely,

Don Stapp

R14 TOPO

T21N, R07E, S02

NWNE TR

Approximate location
of 5 acres of irrigation
per original claimant &
new claimant.

Point of Diversion
Approximate location
per original claimant.

NWSE

NESW

NWSW

SESW

BM 3163

BM

120

3800

3200

3200

3200

3500

3200

3400

3623

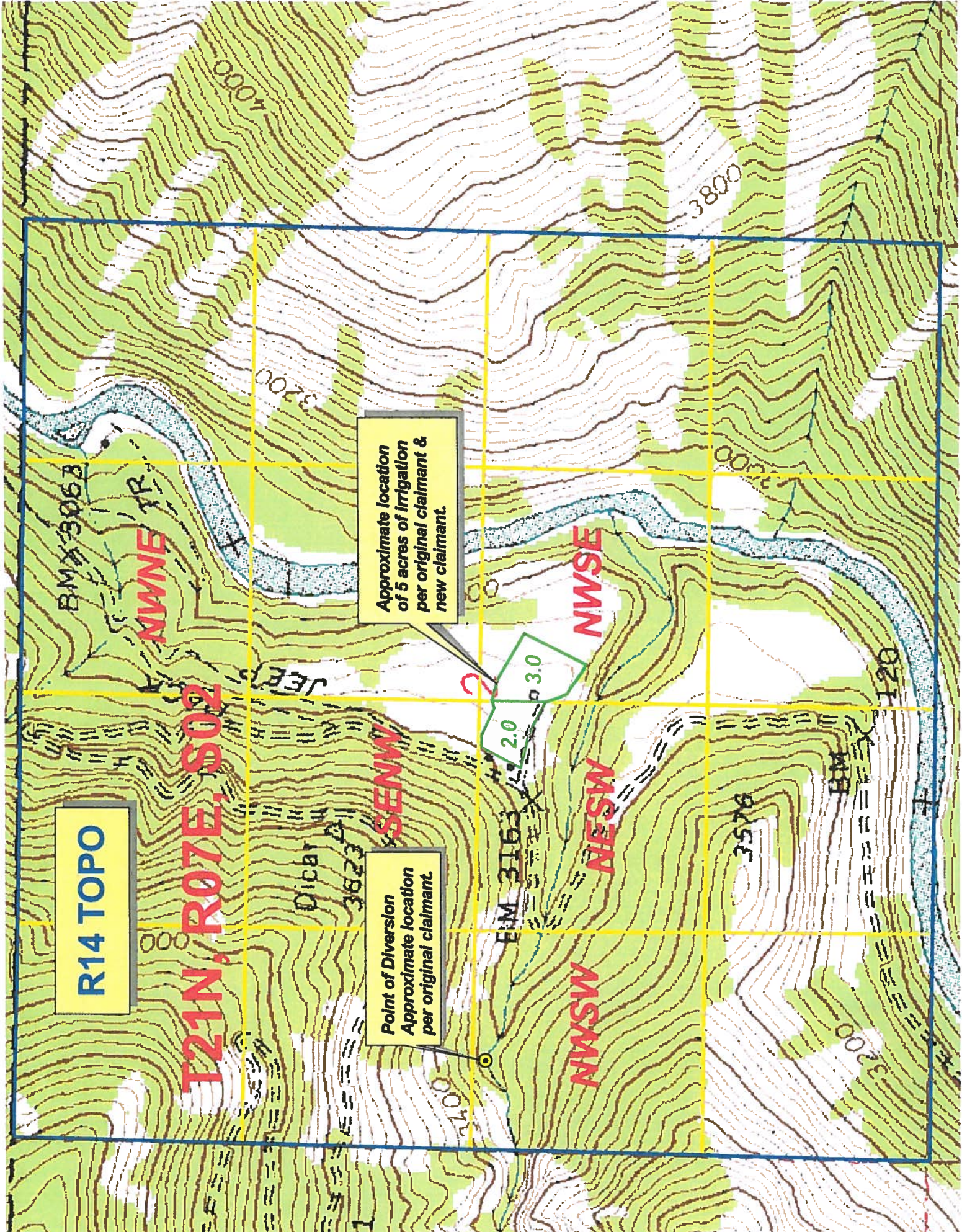
Dicar

BM 3063

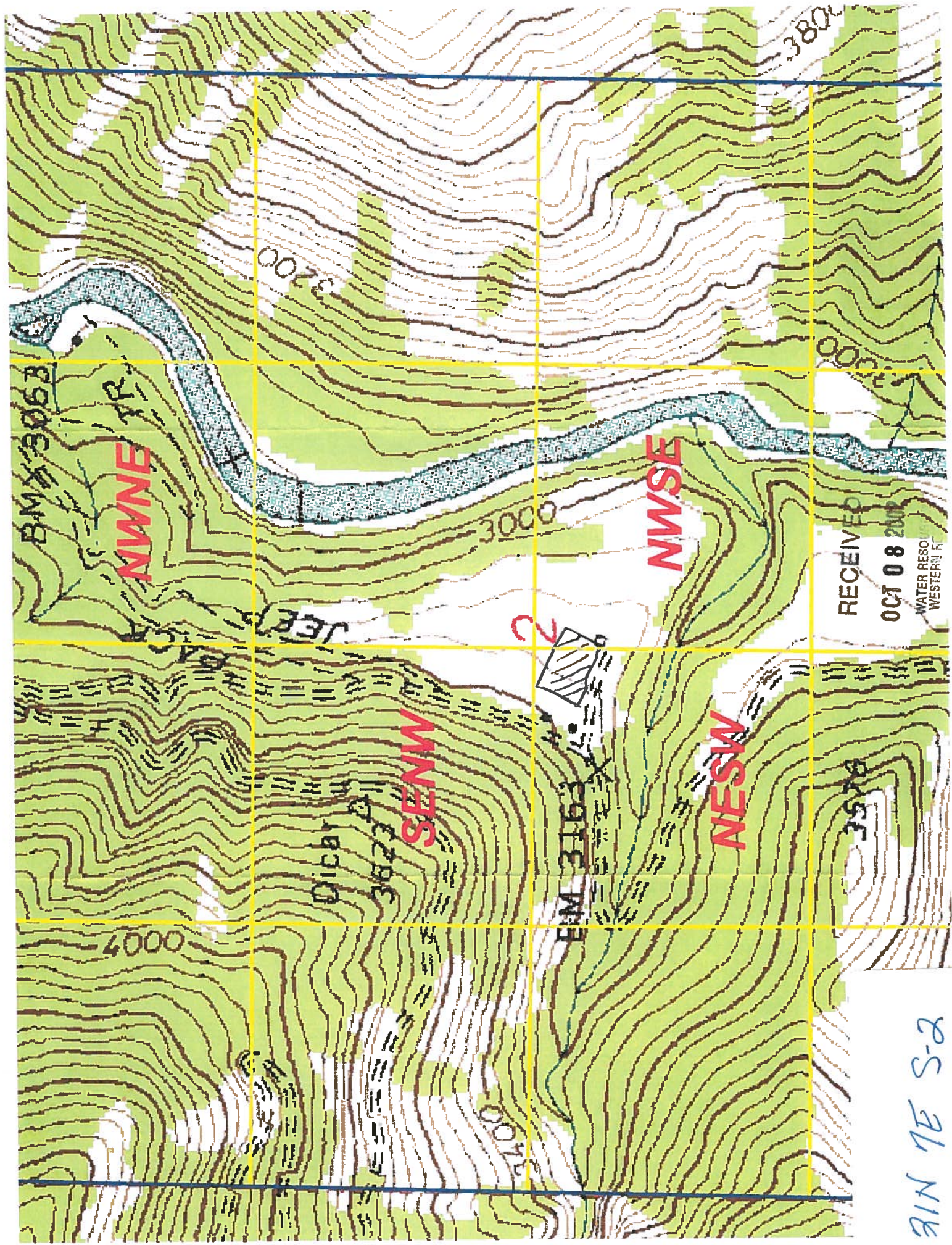
2.0

3.0

2

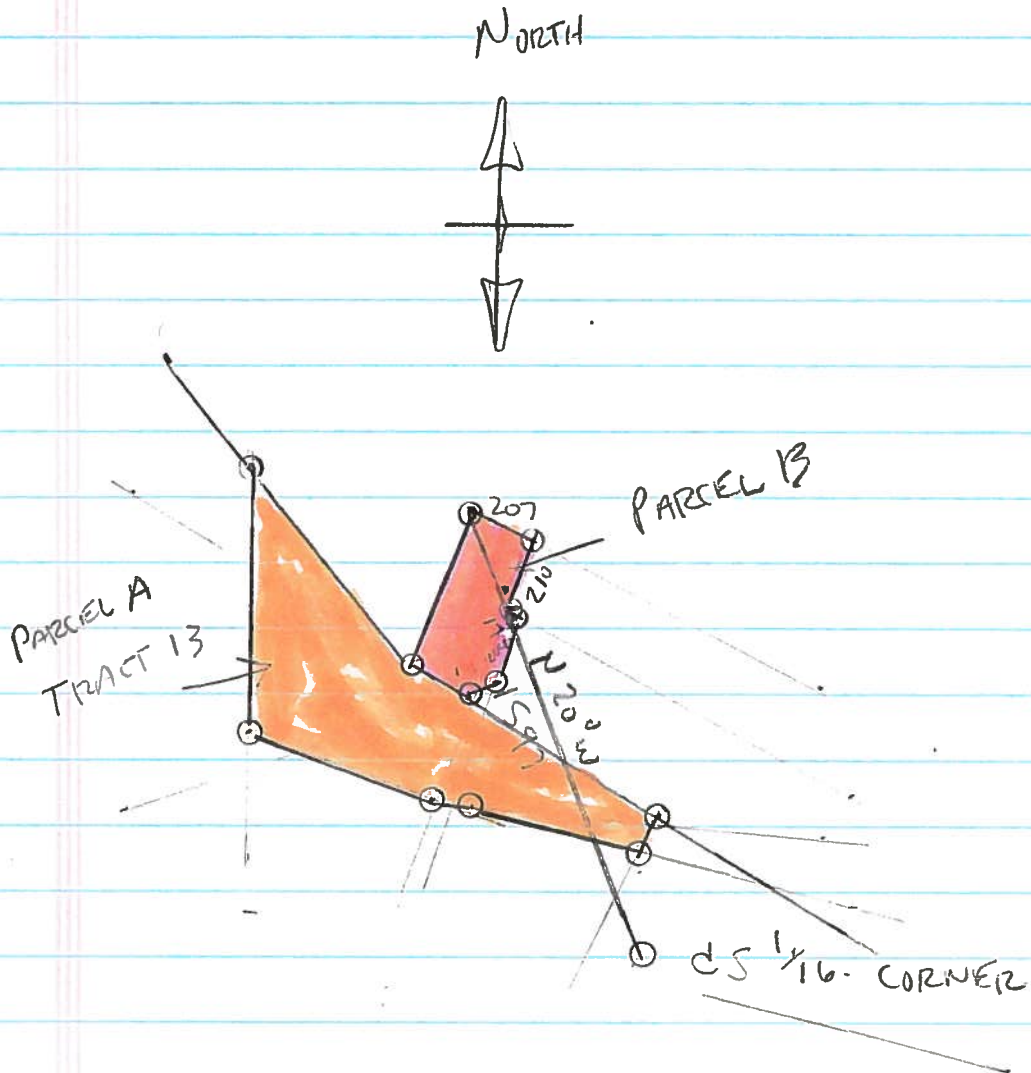


21E 1E S-2



Plot by: Ron Howerton

10-9-02



CS 1/16 CORNER

N 20 34 02 W

1597.63 /

S 62 00 00 E

207.88 /

S 20 46 00 W /

210

S 60 38 37 E /

17

S 20 34 30 W

204.38 /

S 72 18 39 W

101.56 /

N 61 53 58 W

207.04 /

N 28 01 44 E

483.72

10/07/02

TAX MASTER INQUIRY - VALLEY COUNTY

PMPKEY: RP 21N07E024575 A YEAR 2001

BILL# 20141

TXPKEY: RP21N07E024575A

BILLED TO: STRITZKE, DONALD

NAME STRITZKE, DONALD
& STRITZKE, JACLYNN

CODE AREA 400 ACCOUNT TYPE
BANK FLB OWNER PUP

ADDRESS 16247 LONKEY LN

CALDWELL ID 83607

LEGAL S2 T21N R7E
TRACT 13 BARKELL RANCH SURVEY

MARKET VALUE	17,800
HARDSHIP	
HOMEOWNER	
NET MARKET	17,800
TAX AMOUNT	123.78
LESS: CIRCUIT	
PLUS: SPECIALS	12.48
NET TAX BILLED	136.26
TAX PAYMENTS	136.26
TAX CANCELLED	
SPEC CANCELLED	
REMAINING TAX DUE	

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2001
F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE
F4=TAX COMMENTS

RECEIVED

OCT 15 2002

WATER RESOURCES
WESTERN REGION

Rec'd
Denise, *10/15/02*

*# Enclosed are copies of
tax bills for all 3 properties:
claim numbers 77-4169 A
77-4169 B
77-13846*

*I hope that this will be
helpful.*

Regards

 **PROSCAR**
(FINASTERIDE)

proscar.com

10/07/02

TAX MASTER INQUIRY - VALLEY COUNTY

PMPKEY: RP 21N07E024850 A YEAR 2001

BILL# 20142

TXPKEY: RP21N07E024850A

BILLED TO: STRITZKE, DONALD

NAME STRITZKE, DONALD
& STRITZKE, JACLYNN

CODE AREA 400 ACCOUNT TYPE
BANK FLB OWNER PUP

ADDRESS 16247 LONKEY LN

MARKET VALUE 9.630

CALDWELL ID 83607

HARDSHIP

HOMEOWNER

NET MARKET 9.630

LEGAL TAX NO. 23 IN NE4 SW4
S2 T21N R7E
AMENDED BARKELL RANCH SURVEY

TAX AMOUNT 66.96

LESS: CIRCUIT

PLUS: SPECIALS

NET TAX BILLED 66.96

TAX PAYMENTS 66.96

TAX CANCELLED

SPEC CANCELLED

REMAINING TAX DUE

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2001
F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE
F4=TAX COMMENTS

RECEIVED

OCT 15 2002

WATER RESOURCES
WESTERN REGION

10/07/02

TAX MASTER INQUIRY - VALLEY COUNTY

PMPKEY: RP 21N07E024880 A YEAR 2001

BILL# 20145

TXPKEY: RP21N07E024880A

BILLED TO: STRITZKE, DONALD K.

NAME STRITZKE, DONALD K.

CODE AREA 400

ACCOUNT TYPE

& STRITZKE, JACLYNN M., ETAL

BANK FLB

OWNER PUP

ADDRESS 16247 LONKEY LN

MARKET VALUE

84,010

HARDSHIP

HOMEOWNER

CALDWELL

ID 83607

NET MARKET

84,010

TAX AMOUNT

584.30

LEGAL

S2 T21N R7E

LESS: CIRCUIT

TAX NO. 21 IN NE4 SW4

PLUS: SPECIALS

52.50

BARKELL RANCH SURVEY

NET TAX BILLED

636.80

ETAL: JULIE M. SCHWANE;

TAX PAYMENTS

636.80

MABEL K. STEWART

TAX CANCELLED

SPEC CANCELLED

REMAINING TAX DUE

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2001

F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE

F4=TAX COMMENTS

RECEIVED

OCT 15 2002

WATER RESOURCES
WESTERN REGION

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: A77-13846
Date Received: 11/16/1988
Receipt No: M001943
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT R STEWART 208-634-2341
Address: BOX 563
MC CALL ID 83638
OR
Name: MABLE KAY STEWART 208-634-2341
Address: BOX 563
MC CALL ID 83638
2. Date of Priority: JAN 1, 1879
3. Source: PONY CREEK Trib. to: SALMON RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	07E	2	NW	SW			VALLEY
5. Description of diverting works:
HEADGATE AND 3' BY 2' DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.340		
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.010		
7. Total Quantity Appropriated is:
0.340 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 34.0 Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 5 HEAD CATTLE & HORSES

~~RECORDED~~
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	07E	2	SE	NW		DOMEST	
			SE	NW		STOCK	
			SE	NW	5	IRR	10.0
			NE	SW		IRR	7.0
			NE	SW		DOMEST	
			NE	SW		STOCK	

Section Acres 17.0

Total Acres	17.0
-------------	------

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:
NONE

14. Remarks:

THIS IS A PORTION OF THE ORIGINAL 77-04169 243 CLAIM.

15. Basis of Claim: BENEFICIAL USE

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: _____

~~NO COPY FILED~~
OCT 22 1996

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

~~RECORDED~~
OCT 22 1996



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

November 4, 2002

MABLE KAY STEWART
ROBERT R STEWART
PO BOX 563
MC CALL ID 83638

Re: Original Notice of Claim to a Water Right No. 77-13846

Renumbered to Notice of Claim to a Water Right No. 77-14148

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office. Also enclosed is a copy of the original claim for your reference.

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

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

Sincerely,

Adjudication Section
Western Region Office

DH: dh

Enclosure

FILE MEMORANDUM

SUBJECT: Analysis of Ownership Change
WATER RIGHTS: A77-4169A, B & A77-13846
SENIOR AGENT: RON HOWERTON
DATE: October 10, 2002

NARRATIVE:

Three claims have been filed based upon Statutory Claim A77-4169. The original claim was for 41 acres, stockwater and domestic non-irrigation uses. The number and type of stock was listed as 20 cattle and horses, the numbers of domestic homes or sites were not listed nor what the domestic uses were.

Donald & Jaclynn Stritzke have filed an ownership change on these claims.

The following original SRBA claimants, claimed the following uses:

A77-4169A: CLAIMED BY SILVIA MCCLAIN
Domestic, 1 home.

A77-4169B: CLAIMED BY JULIE SCHWANE
Irrigation, 10 acres.
Domestic, 4 sites internal & external
Stockwater, 6 head Misc. stock

A77-13846: (portion of A77-4169) CLAIMED BY ROBERT STEWART
Irrigation, 17 acres
Domestic, 1 home
Stockwater, 5 head cattle & horses

Total irrigation: 27 acres
Total domestic: 6 homes or sites
Total stockwater: 12 head of Misc. stock & horses

After a second request to Mr. Stritzke to provide more information he refused to send more, see Denise's memo dated 10/4/02. He also threatened to call a congressman and did contact "Congressman Little." He talked to Gary Spackman (Western Regional manager) about the requests we had issued and what Gary could do about this?

Gary came to me and asked if there were any written procedures for standardizing the review for ownership changes and told me about his conversation with "Congressman Little." First I showed Gary that Mr. Stritzke did at least return my topographical map with his hand drawn location of the 5 or 6 acres revealing his understanding of the irrigation he was submitting the ownership changes to. But I told Gary we had not completely gotten the chain of title for at least one of the rights for further clarification.

Then I said, we make the ownership changes based upon what we have received as proof, those items that are required are shown on the ownership change form. Then, the agent, clerical staff or Jan decides if that is enough information to make the change.

Gary then asked me what the other regions adjudications staff were doing in relationship with chain of title? I said I don't know but I will call Don. Gary said he would call water allocations manager; Jeff Peppersack since water allocations deals with ownership changes too.

After Gary talked to Jeff Peppersack, Gary told me that his section was not requiring chain of title.

I also completed talking to Don Shaff about if the other regions and the state office adjudication were requiring chain of title for ownership changes? Don said that state office adjudication and to the best of his knowledge the other regions do not require chain of title and only Jan was requesting a completed chain of title.

I also explained the situation to Don about Gary's conversation with "Congressman Little" and repercussions from requiring more information in not changing the ownership based upon unsupported title map sketches and claims that were claimed upon claims.

Don feels that these claims upon claims will still all be subjective to what a field examiner finds anyway and to not to continue pursuing gathering the completed chain of title at this point and make the ownership change based upon the submitted information as enough proof at this time.

CONCLUSIONS:

These claims have never been proven up on by the "IDAHO DEPARTMENT OF WATER RESOURCES." Thus, there is no conclusive evidence of any of the uses claimed. These are claims to a claim. These claims will still all be subjective to what a field examiner finds.

Central Idaho Title maps submitted by Donald & Jaclynn Stritzke all have a disclaimer "This sketch is only to assist in locating the premises & assumes no liability for loss or damage which may result from reliance on this map." I cannot be certain either to the exact location of these plats, however, to follow up I had clerical staff send a map I created from the un-surveyed R14 topographical map for Donald &/or Jaclynn Stritzke to mark where the irrigation was located and send it back to us.

By Comparing the Central Idaho Title maps and Donald &/or Jaclynn Stritzke's marked up map with the original Statutory Claim A77-4169 and to a hand drawn map submitted by claimant JULIE SCHWANE in A77-4169B. This sketchy evidence seems to fit the intent of what & where the ownership change would reflect and assumptions could be made at this time.

The numbers of acres are now under claimed at this point and if during a field exam additional acres were found, the claimants could amend their claims for the additional coverage because these are just beneficial use claims, not based upon licenses or decree or any IDWR information.

I told Don that I would relate all of this to Jan, (Western Region's adjudications manager) for her to review.

If Jan agrees with this analysis, then I will request Denise to change the ownership as shown on the profile reports that were prorated based upon the best information IDWR has obtained at this juncture and rely to later resolve any indifferences at the future investigation by IDWR field examiner.

10/6/02

RECEIVED

OCT 08 2002

WATER RESOURCES
WESTERN REGION

Denise ,

The irrigated land is
marked on the map. The
total area irrigated is 5-6
acres. Thanks for your
help.

Sincerely,

Don Stupfle



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

October 4, 2002

DONALD K STRITZKE
JACLYNN M STRITZKE
16247 LONKEY LN
CALDWELL ID 83607

RE: Notice of Change of Water Right Ownership Claim No. 77-4169A, 77-4169B & 77-13846

Dear Property Owner(s):

I want to thank you for your patience and cooperation in the processing of your ownership change. After further review of the information received, we have discovered the following information. We still are in need of a chain of title, or a *tax notice in your name(s)* for water right 77-4169A, showing the legal description of the property by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range. The water right is in the name of Sylvia Mc Clain, and the deed received shows the property going from Billy and Janet Turner to you.

To help solve the problem of obtaining a map showing the irrigated acres, I have enclosed a map of the area for these water rights. If you would, please indicate the irrigated acres by outlining the area of your property, and irrigated acres, on the map. We do not have current tax lot information for this area, as it is not yet surveyed land and not shown on our maps. Therefore it is hard for us to determine irrigated acres for ownership information.

I thank you again for your patience and cooperation, as we have had several of these water right changes to process. I apologize for any inconvenience this has caused. Please feel free to contact this office if you have any further questions concerning this letter.

Sincerely,

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

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

CONVERSATION MEMORANDUM

TO: File 77-4169A, 77-4169B & 77-13846
FROM: Denise Hatfield
DATE: October 4, 2002
SUBJECT: Donald Stritzke – UPSET Customer

I received an ownership change from Mr. Stritzke on July 30, 2002 for the water rights referenced above. He had been at the State Office and filled out the paperwork, and then was sent to our office to see me, and was also told that I could process this right away. I explained to him that we would have to review it first; to be sure everything was in order, and to check for splits, etc. He was understanding of that and I let him know he'd receive copies of the completed change of ownership in the mail when they were changed.

Mr. Stritzke then called in August to check the status of the change. I put it at the top of the pile, and gave it to an agent (Ron Howerton) to review. Upon initial review by Ron, it was found that we needed chain of title, or a tax notice for the rights, and a map of the irrigated acres, to verify correct ownership. I sent a letter dated August 26, 2002 asking for this information. A copy of the letter is in the files. Mr. Stritzke then responded with a letter on September 4, 2002, and stated it would cost too much for an aerial photo, etc. He had enclosed a map of the lots, but it did not indicate the irrigated acres. Also, there was no chain of title for one of the rights mentioned.

Ron reviewed it again on October 2, 2002 to make these determinations, and I then wrote Mr. Stritzke another letter. I faxed the letter to him, along with a hard copy in the mail. In this letter, I reiterated the issue of the chain of title, or tax notice needed, and stated that I was putting a map in the mail today. Upon receiving the map, it was asked of him to please outline the irrigated acres and return to us for further review and completion.

He then called to try to discuss this issue. He feels he has provided plenty of information, and feels as though he has been going in circles and getting no results. It is "red tape on top of red tape." He also feels like no matter what he provides, it's not going to be good enough for us. I tried to explain to him that we have many of these that come in, and that need reviewed and processed. And, that his land is in Basin 77, which is land that has not yet been surveyed, and we don't have adequate maps and tax lot info showing irrigation, etc. This is why we need his help in telling us the irrigated acres. He said his only solution would be to call a congressman and see about getting this solved, because apparently we cannot get done what is necessary. "It's always something more."

I then let him know that he was more than welcome to call a congressman, but I do not work for congress, therefore it not would help his paperwork get through any faster. I offered to have him talk with Ron, since Ron reviewed this, and maybe Ron could better explain it. He said he was a doctor and had patients to see and really did not have time to deal with this.

He is going to "see what he can do" with the map when he receives it, and return it to us. As far as submitting the tax notice, he said he does not keep those – he throws them away. The deed we have will just have to be enough. I then asked Ron if we could do without chain of title, and we decided that we might have to, in order to get this done.

I recommend that we be sure to put something in the letter to him, upon completion, that this change of ownership was done prior to this area being reviewed for recommendation, and these claims still need a field exam for proper recommendation.

Caldwell Urology
1620 South Kimball Avenue
Caldwell, Idaho 83605
208-454-9181 208-454-6338 fax

RECEIVED
SEP 06 2002
WATER RESOURCES
WESTERN REGION

Donald K. Stritzke, M.D.
Diplomate American Board of Urology

Dirk S. Sypherd, M.D.
Diplomate American Board of Urology

September 4, 2002

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Attention: Denise

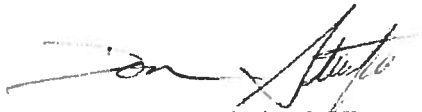
77-4169A, 4169B,
8.1
13846

Dear Denise:

Enclosed you will find the warranty deeds for the three separate properties and also plat maps. An individual plat map is included for each property and is outlined in yellow. Legal descriptions of the properties are also included. The irrigated land is included in the Sylvia McClain property. A total of approximately five acres is irrigated. This has been highlighted in pink on the appropriate map. I hope that this will satisfy the requirements. To obtain an aerial photo of the five acres of irrigated land would require hiring a pilot from McCall or Cascade and flying over the property – the expense would be in excess of \$300.00. I was informed by Sally Sherman that if the irrigated acreage is less than ten acres, an aerial photo is not required. I hope that this information is accurate.

Thank you for your assistance with this matter.

Regards,



Donald K. Stritzke, M.D.

DKS: ah



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

August 26, 2002

DONALD K STRITZKE
JACLYNN M STRITZKE
16247 LONKEY LN
CALDWELL ID 83607

RE: Notice of Change of Water Right Ownership No. 77-4169A, 77-4169B & 77-13846

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.

In order to further review this ownership change adequately, we need you to submit a plat map and an aerial photo of the property, indicating the irrigated acres. Also, the deed submitted indicates a property transfer from Billy W and Janet A Turner to you. However, claim number 77-4169A is in the name of Sylvia McClain; 77-4169B is in the name of Julie Schwane; and 77-13846 is in the name of Robert and Mable Kay Stewart. In order to verify correct ownership, we need a chain of title, or a tax notice in your name(s) would also be sufficient proof of ownership.

Please submit the above information and we may 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

DH: dh

Enclosures

Agent notes from Review of ownership
change sent in (handdelivered) 8/30/02

OWNERSHIP PROBLEM:

(DOMESTIC) ↘

- 77-4169A - NEED CHAIN OF TITLE FROM CLAIMANT SYLVIA McCLAIN TO AND THROUGH NEW CLAIMANT Stritzke

(Irrig, Stk, Dom) ↘

- 77-4169B - NEED CHAIN OF TITLE FROM CLAIMANT JULIE SCHWANE TO NEW CLAIMANT Stritzke

- 77-13846 Irrig, Stk, Dom. NEED PLAT MAP AND CHAIN OF TITLE FROM CLAIMANT STEWART ^{Robert & Maple} to Stritzke

EXHIBIT "A"

Problem with LEGAL:

- IS THAT THE STARTING POINT IS REFERENCED TO THE Sylvia McClain parcel. we have NO way to start the metes & bounds description to plot the 10 ACRE TRACT.
- NEED PLAT that shows $\frac{1}{4} \frac{1}{4}$ INFORMATION ON DESCRIPTION

IRRIG

NEED AERIAL MAP
OF ALL IRRIGATION
LOCATIONS