

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: 77-14149

DONALD K STRITZKE
16247 LONKEY LN
CALDWELL ID 83607
Telephone Number: (208)454-7817

JACLYNN M STRITZKE
16247 LONKEY LN
CALDWELL ID 83607
Telephone Number: (208)454-7817

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:

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

DATE: 3/2/06 SIGNATURE: Donald K. Stritzke
Please print your name: Donald K Stritzke

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

04/08/2005

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

RIGHT NUMBER: 77-14149

NAME AND ADDRESS: DONALD K STRITZKE
16247 LONKEY LN
CALDWELL ID 83607

JACLYNN M STRITZKE
16247 LONKEY LN
CALDWELL ID 83607

SOURCE: PONY CREEK

TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 0.170 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>
STOCKWATER	01/01 12/31	0.010 CFS
IRRIGATION	04/01 10/31	0.160 CFS

PLACE OF USE: STOCKWATER Within VALLEY County

T21N R07E S02 NESW T21N R07E S02 NWSE

IRRIGATION Within VALLEY County

T21N R07E S02 NESW 3.0 T21N R07E S02 Lot 8 NWSE 5.0

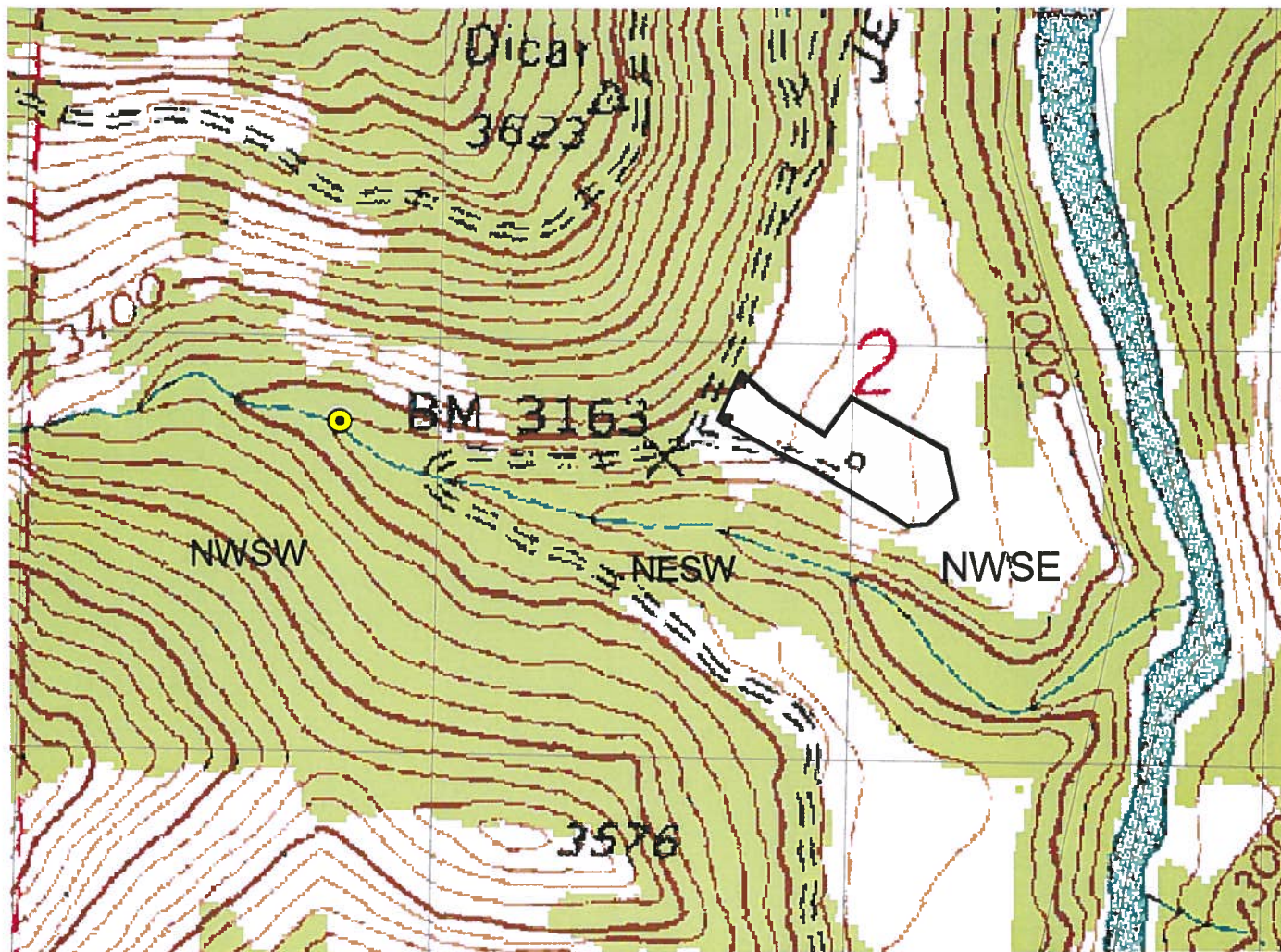
8 ACRES TOTAL

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: Beneficial Use

77-14149



0 300 600 Feet

Section 2
T21N R7E

● Point of Diversion

□ Place of Use

Map prepared on April 8, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



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

Donald Stritke
16247 Lonkey Lane
Caldwell, ID 83607

RE: Adjudication Claims

Dear Mr. Stritke:

I want correct the statement in my letter of March 31, 2005, regarding my proposed recommendation for 77-14149. The sentence should have read:

My recommendation for 77-14149 will be to allow 0.16 cfs for 8 acres of irrigation and .01 cfs for stock water use.

I apologize for the inconvenience that I have caused.

Sincerely,

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

Kenneth Knoblock
Water Resources Agent



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

March 31, 2005

Donald & Jaclynn Stritke
16247 Lonkey Lane
Caldwell, ID 83607

RE: Adjudication claims

Dear Mr. & Mrs. Stritzke:

I have been assigned to review and determine the Snake River Adjudication claims in Basin 77, which includes the Barkell Ranch area.

This is my understanding that these are the water rights on your property:

	Original name	Amt.	Uses
77-4169A	Sylvia McCain	.04cfs	Domestic (1)
77-4169B	renumbered to 77-14146 and 77-14147		
	Julie Schwane	.20cfs	Domestic (4) Irrigation (10 acres)
77-4169P	renumbered to 77-13846 which was renumbered to 77-14149		
	Robert Stewart	.34 cfs	Irrigation (17 acres)

The parcels you own are RP21N07E02 4575, 4850 and 4880.

Parcel 4575 you purchased from Julie Schwane, which contains 10.39 acres.

Parcels 4850 and 4880 you purchased from Sylvia McCain and Robert Stewart and Bill Turner, which contains a total of 7.709 acres.

I used the enclosed maps to evaluate the water rights. One map is the property survey for the area. The other is an aerial view of the area on which I have drawn the approximate boundaries of the parcels.

The aerial map shows no irrigation or dwellings on parcel 4575.

My recommendation will be to disallow 77-14146 and 77-14147 because the adjudication is to determine the uses that were in place in 1987.

My recommendation for 77-4169A will be to allow domestic use for .04 cfs.

My recommendation for 77-14149 will be to allow 8 acres of irrigation and .01 cfs for stock water use..

Handwritten notes:
A circle around the word "allow" in the previous line, with an arrow pointing to ".16 cfs".
The word "Secret" written vertically in cursive.

I hope you are in agreement with my reasoning and recommendations. I would appreciate you notifying me shortly of your thoughts.

Sincerely,



Kenneth Knoblock
Water Resources Agent

3/16/05

PMO100 - PARCEL MASTER INQUIRY

12:21:38

PARCEL: RP 21N07E024850 A

F17=DD F19=SP

LEGAL DESCRIPTION

STRITZKE, DONALD
& STRITZKE, JACLYNNS2 T21N R7E
TAX NO. 23 IN NE4 SW4
AMENDED BARKELL RANCH SURVEY

ProVal Area Number 1

16247 LONKEY LN

CODE AREA 4-0000 OWNER CD

CALDWELL ID 83607

PARC TYPE LOC CODE 4700

EFFDATE 1011996 EXPDATE

PREV PARCEL RP21N07E024756A

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2001	2695	AC	9630				

TOTALS

2695

9630

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*rural Residential land*

3/16/05

PMO100 - PARCEL MASTER INQUIRY

12:21:57

PARCEL: RP 21N07E024880 A

F17=DD F19=SP

LEGAL DESCRIPTION

STRITZKE, DONALD K.
& STRITZKE, JACLYNN M., ETALS2 T21N R7E
TAX NO. 21 IN NE4 SW4
BARKELL RANCH SURVEY +
ProVal Area Number 1
CODE AREA 4-0000 OWNER CD
PARC TYPE LOC CODE 4700
EFFDATE 1011995 EXPDATE
PREV PARCEL RP21N07E024880A

16247 LONKEY LN

CALDWELL ID 83607

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2001	5014	AC	23300				
32	2001			1200				
34	2001			57800				

out residence

TOTALS

5014

82300

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

3/16/05

PMO100 - PARCEL MASTER INQUIRY

12:21:35

PARCEL: RP 21N07E024575 A

F17=DD F19=SP

LEGAL DESCRIPTION

STRITZKE, DONALD
& STRITZKE, JACLYNN

S2 T21N R7E
TRACT 13 BARKELL RANCH SURVEY

16247 LONKEY LN

ProVal Area Number 1

CODE AREA 4-0000 OWNER CD

PARC TYPE LOC CODE 4700

CALDWELL ID 83607

EFFDATE 1011996 EXPDATE

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
18	2001	10390	AC	17800				

TOTALS

10390

17800

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

Other Rural

77-4169B 77-141468
77-14127

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 77-14149
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)

DONALD K STRITZKE
16247 LONKEY LN
CALDWELL ID USA 83607

Phone: (208) 454-7817

JACLYNN M STRITZKE
16247 LONKEY LN
CALDWELL ID USA 83607

Phone: (208) 454-7817

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	0.04	
STOCKWATER	01/01	12/31	0.01	

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

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	NE	SW	STOCKWATER	
			NE	SW	IRRIGATION	2
					Section Acres	2
					Total Acres	8

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. DH 11/4/2002

15. Basis of Claim: Beneficial Use

Date you acquired the property

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 H. Stapp

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 _____

REMAINDER SPLIT

DATE: 10/02/02
PAGE: 1

DIVERSION RATE

05-01 10-01
01-01 12-31
01-01 12-31

~~0-340 CFS~~ -3 CFS
~~0.010 CFS~~ OK
~~0-020 CFS~~ OK
~~0-340 CFS~~

AL DIVISION:
GENERAL INVESTIGATIVE

76-0005A

Stage: BENEFICIAL USE

VALLEY COUNTY

35

SE	SWSE	SESE
IC	Lt	Ac
-	----	----
-	----	----
-	----	----
-	----	----
-	----	----

ES

SE	SWSE	SESE	:
IC	Lt	Lt	:
AC	AC	AC	:
-	-	-	:
-	-	-	:

35

SE	SWSE	SESE
AC	Lt	Ac
---	---	---
---	---	---

✓

$$\frac{Y}{O}$$

Objection Filed Date:

Field Inspection Presumption Flag:

07/20/94 LHARRIS 03/30/95 POST-STD

DOMESTIC CAN THIS
REMAIN ON STRITZKE
REPORTION - IS COVERED
77-4169A
Doby

STRITZKE SPLIT

77-14149

OWNER CODE NAME & ADDRESS
C ROBERT R STEWART
C MABLE KAY STEWART
BOX 563
MC CALL ID 83638
(208) 638-2341

PRIORITY DATE WATER USE
01/01/1879 IRRIGATION
STOCKWATER
DOMESTIC

USE PERIOD FROM TO
05-01 10-01
01-01 12-31
01-01 12-31

DIVERSION RATE
0.340 CFS
0.010 CFS
0.020 CFS

DIVERSION VOLUME
-04
OK

SPLIT TOTAL
a04 CFS

STOCKWATER
IS INCLUSIVE
SINCE SPLIT
-ING OF SPLIT
+6 SPLIT
IS 01 CFS
IS CLAIMED
AS INCLUSIVE

TOTAL DIVERSION: 0.340 CFS
CONSUMPTIVE USE: 34.00 AFA

Water Source: PONY CREEK
Tributary to: SALMON RIVER, SOUTH FORK
Stage: BENEFICIAL USE
VALLEY County

Point(s) of Diversion: T21N R07E S02 NWSW

Place of use Legal Description for: IRRIGATION

NE	NENE	NWNE	SWNE	SENE	SW	NWSW	SWSW	SESW	SESE	SESE
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
21N 07E 2	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES									17.0	17.0

Place of use Legal Description for: STOCKWATER

NE	NENE	NWNE	SWNE	SENE	SW	NWSW	SWSW	SESW	SESE	SESE
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
21N 07E 2	:	:	:	:	:	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

NE	NENE	NWNE	SWNE	SENE	SW	NWSW	SWSW	SESW	SESE	SESE
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
21N 07E 2	:	:	:	:	:	:	:	:	:	:

POU County: VALLEY

Non-Irrigation Uses: DOMESTIC, 1 HOME, STOCKWATER 5 HEAD CATTLE & HORSES

Other Rights: NONE

Remarks: GEN THIS IS A PORTION OF THE ORIGINAL 77-04169 243 CLAIM. OK

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 07/20/94 LHARRIS 03/30/95 POST-STD

1-DOMESTIC
PER MAP & CLAIM
FOR ONLY 1 HOME
COVERED BY
CLAIM
77-4169A

Stock
OK
@ 0.01 CFS

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


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)

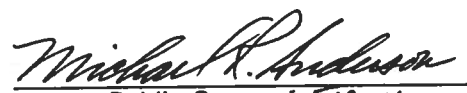

Notary Public State of Idaho
Residing at: Malta
My Commission Expires: 1-29-99

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:

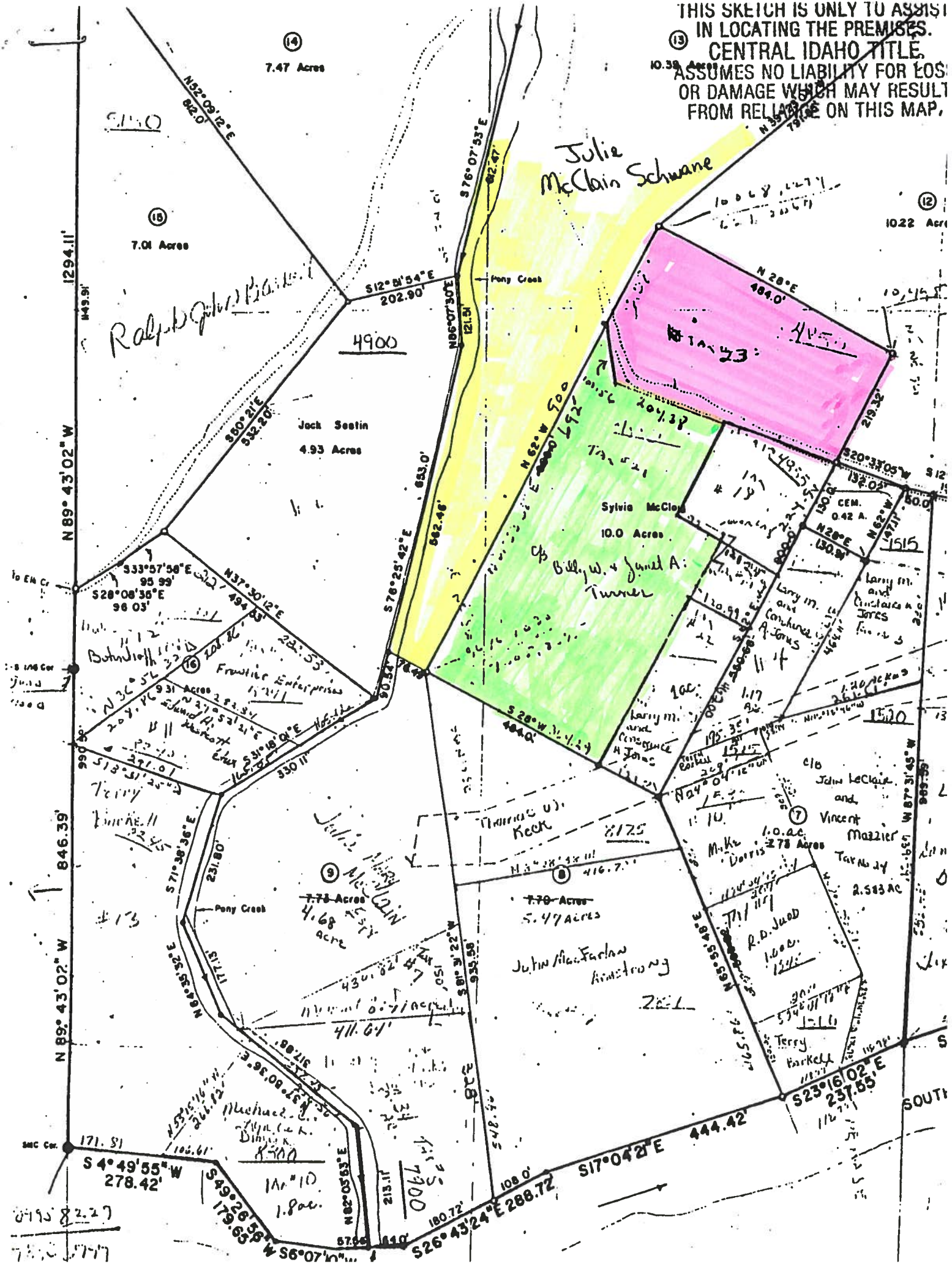
Thence, S. 62° 00' 00" E., 207.88 feet along the northeasterly boundary of said 10.0 acre parcel,
thence, S. 20° 46' 00" W., 210.00 feet,
thence, S. 60° 36' 37" E., 17.00 feet,
thence, S. 20° 34' 30" W., 204.38 feet,
thence, S. 72° 18' 39" W., 101.56 feet to the southwesterly boundary of said 10.0 acre 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.

R.S.

213473
TYPE: Book #10
LELAND HEINRICH
VALLEY COUNTY RECORDER
BY: *[Signature]*
FEE: *[Signature]*
'95 SEP 13 PM 3 37
CENTRAL RECORDS
REQUESTED BY
RECORDED

13



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: 1-29-99

213471
TYPE: Deed #18
VALLEY COUNTY RECORD
BY: Steph V. Gandy
FEE: 3.00
RECORDED
95 SEP 13 PM 3 38
CENTRAL IDAHO TITLE
REQUESTED BY

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.

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

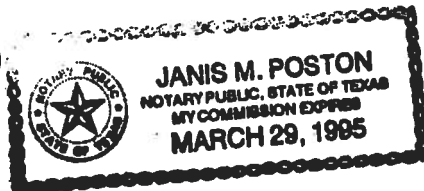
STATE OF TEXAS

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 11 2 47 PM '93
TYPE: Deeds #8
LELAND
VALLEY COUNTY
BY: [Signature]
FEE: [Signature]
DEPUTY

R14 TOPO

T21N, R07E, S02

Point of Diversion
Approximate location
per original claimant.

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

NW1SW

NESW

NWSE

NWNE

BM 3063

BM 3163

BM 120

3200

3800

3000

3200

3576

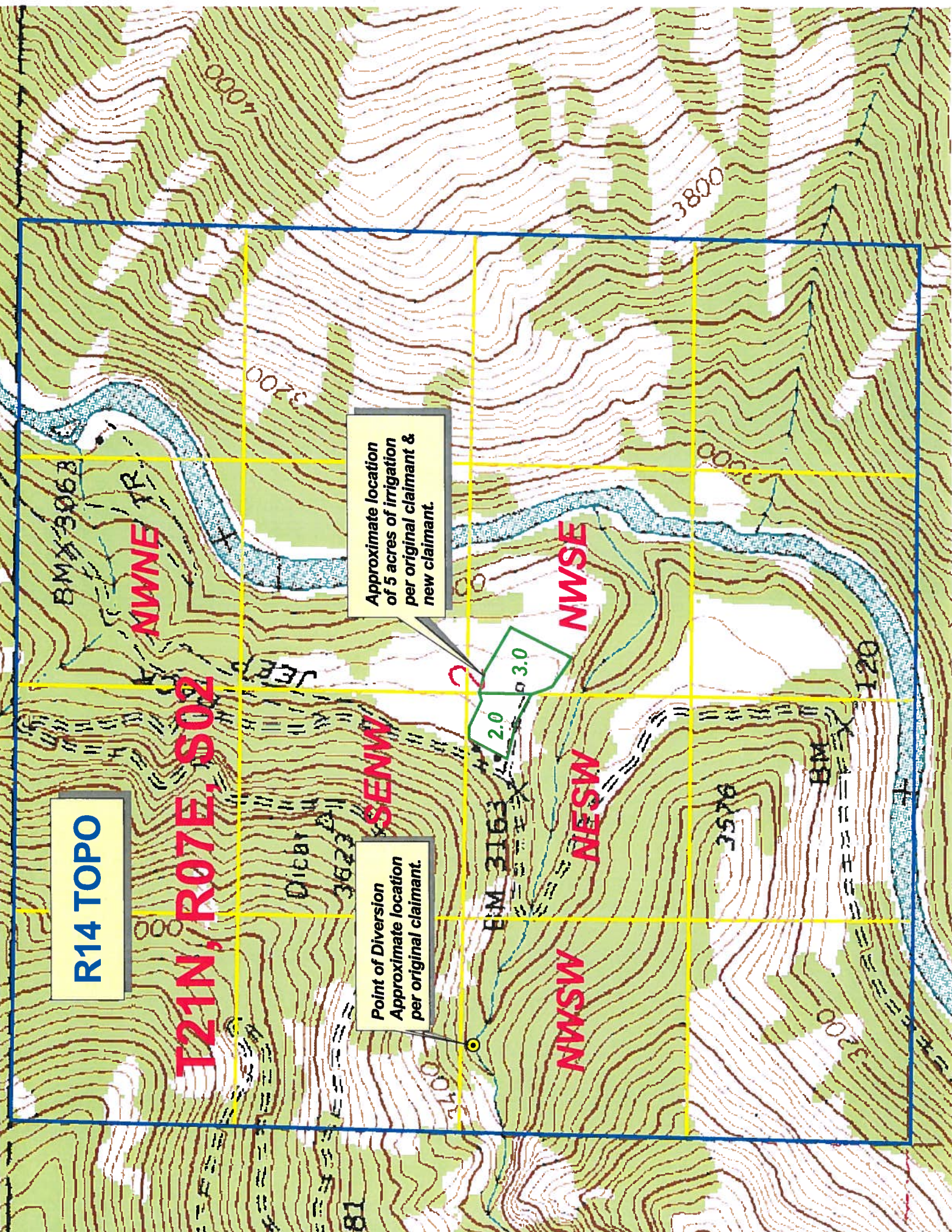
120

3700

3623

4000

381



10/6/02

RECEIVED

OCT 08 2002

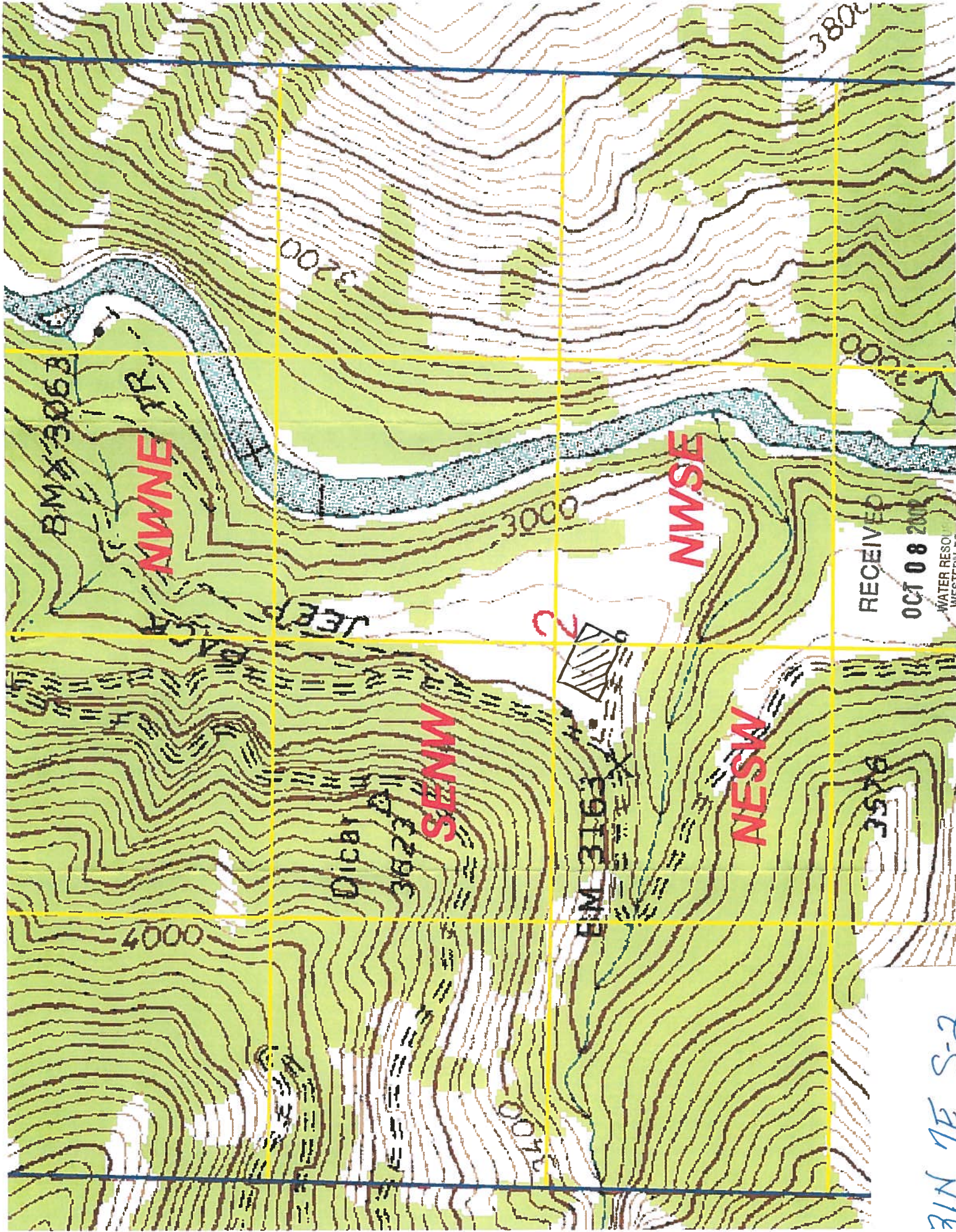
WATER RESOURCES
WESTERN REGION

Denise,

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

Sincerely,

Don Stupp



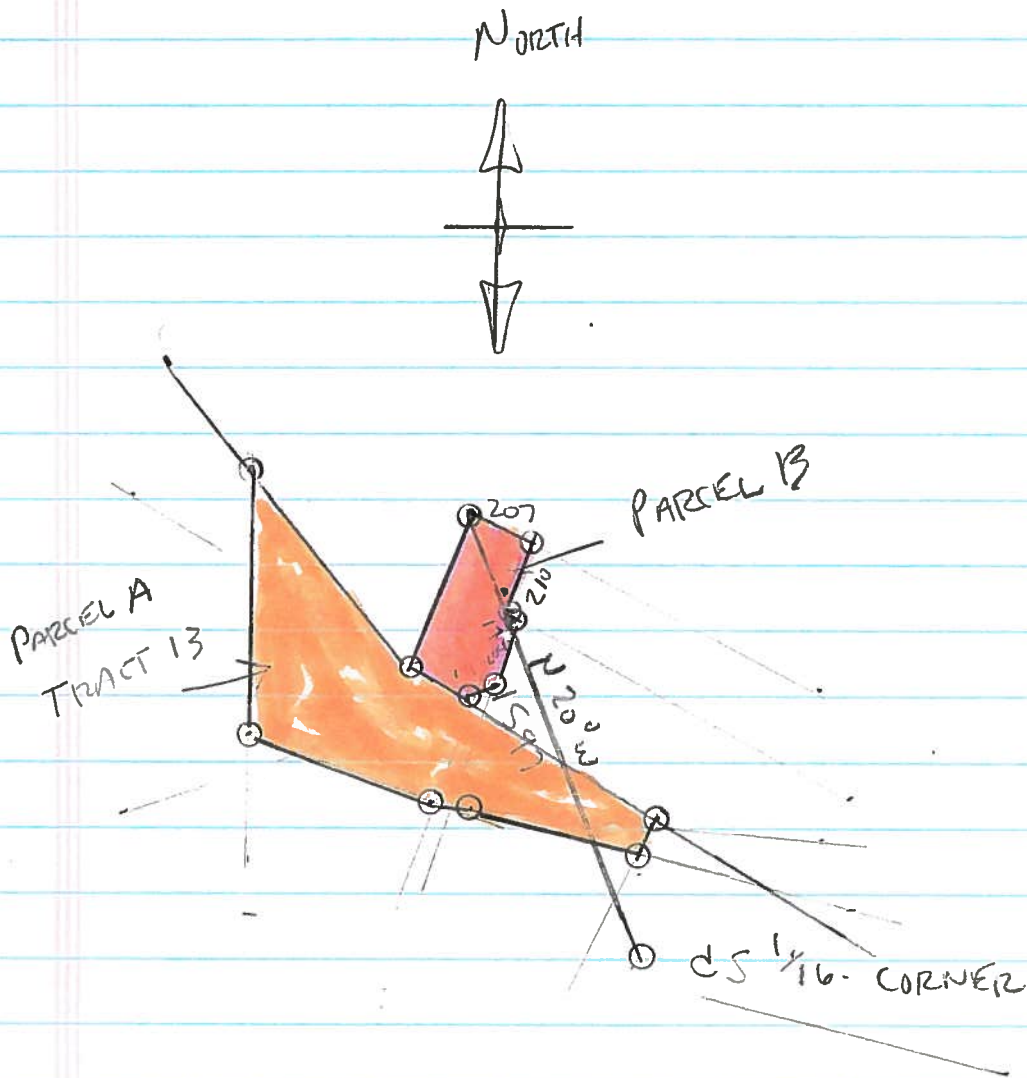
RECEIVED

OCT 08 2002

WATER RESOURCES
WESTERN

2-S 2E N1E

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, JACLYNNCODE AREA 400
BANK FLBACCOUNT TYPE
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

Don Stritzke

 **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

CALDWELL ID 83607

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

MARKET VALUE	9.630
HARDSHIP	
HOMEOWNER	
NET MARKET	9.630
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

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

~~RECEIVED~~
OCT 22 1986

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: _____

~~RECEIVED~~
OCT 22 1996

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

~~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

November 4, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

Re: Original Notice of Claim to a Water Right No. 77-4169B & 77-13846

Renumbered Notice of Claim to a Water Right No. 77-14147 & 77-14149

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. 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 water right. This claim represents a split of the claim filed by a previous owner 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.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

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 Stuffle



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,

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

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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

17-4169A, 4169B,
84
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 ^{Robert & Mable} STEWART 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 meets & 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