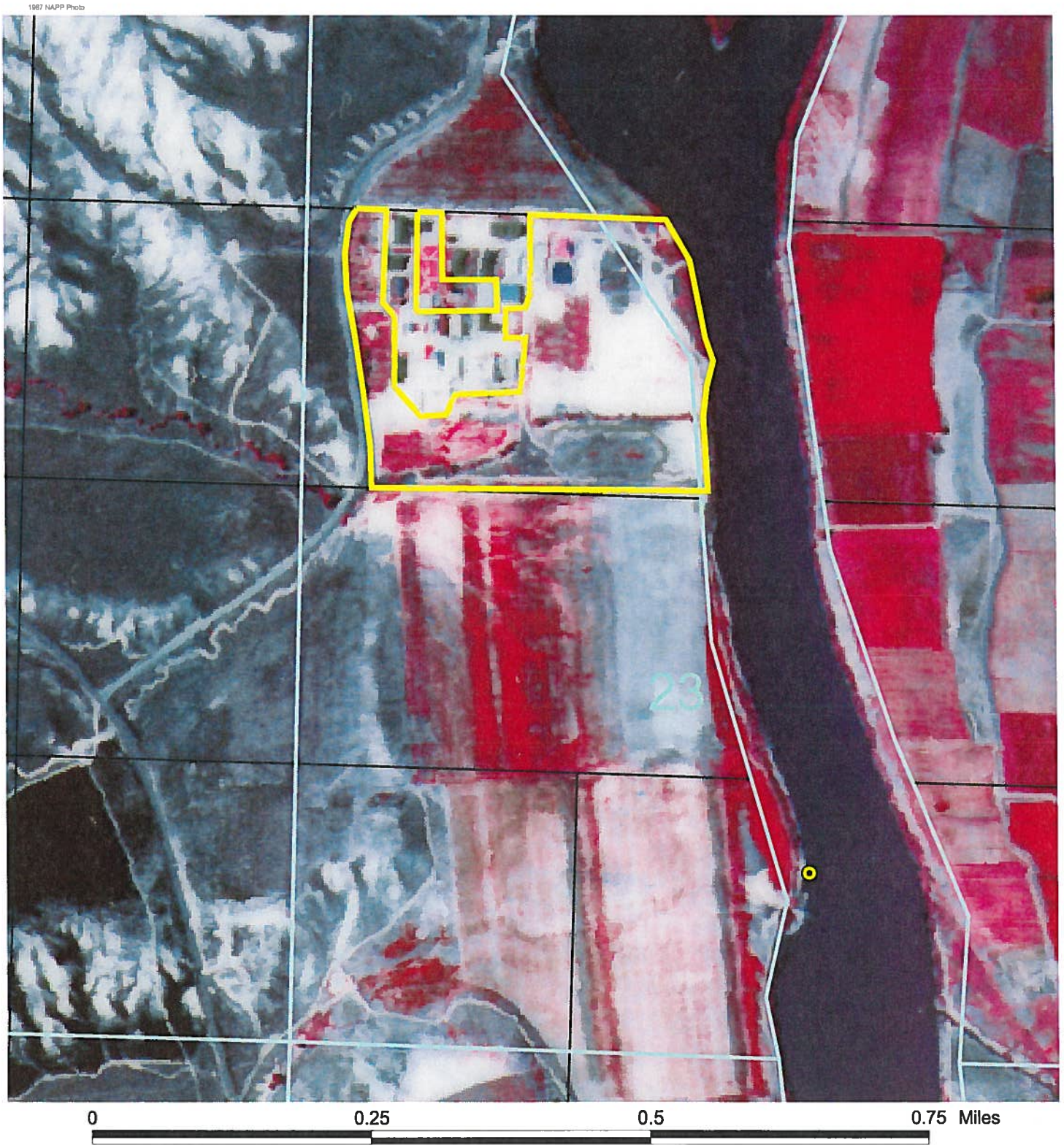


Idaho Department of Water Resources



Claim Number: 02-2073A
Legal: T02N, R04W, S23
Reviewed By: SJR 4/21/05

04/21/2005

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

RIGHT NUMBER: 2-2073A

NAME AND ADDRESS: ESTATE OF ESTHER F ASHE
C/O JACK HURT
4470 VEGAS VALLEY #108
LAS VEGAS NV 89121

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 01/19/1949

POINT OF DIVERSION:

T02N R04W S23 NESESW Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	
IRRIGATION	03/01 11/15	0.800 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T02N R04W S23 Lot 2 SWNW 40.0

DOMESTIC same as IRRIGATION

40 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: License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

split from 2-2073

Enter Water Right Number

Basin # Sequence # Split Suffix

Find Pedigree

☐ AJ ☐ WR

Calculate Total

Parent Acreage Parent POU Acreage Parent Rate Parent Volume

Children Acreage Children POU Acreage Children Rates Children Volumes

Difference Difference Difference

Total Acreage, Volume, & Rate for

Parent Acreage Parent POU Acreage Parent Rate Parent Volume

Children Acreage Children POU Acreage Children Rates Children Volumes

Difference Difference Difference

Water Right #	Status	Owner List	Source	Priority D...	Water ...	Rate	Acrea	Vol...	Pedigree Type	Right ID
2-2073 WRADL See Rem	Active	ESTATE OF EST...	SNAKE RIV...	01/19/19...	01.43	2.9	145		Ownership Cha...	250457
2-2073A WRADL	Parent	VAN HALL, VAN...	SNAKE RIV...	01/19/19...	01	2.1	105		Ownership Cha...	193041
2-2073B WRADL	Parent	VAN HALL, VAN...	SNAKE RIV...	01/19/19...	01	2.06	103.2		Transfer	121928
2-2073C WRADL	Parent	VAN HALL, VAN...	SNAKE RIV...	01/19/19...	01	1.99	99.6		Ownership Cha...	363743
2-10245 WRA	Active	SANWAN LLC;	SNAKE RIV...	01/19/19...	01	0.04	1.9	423.5	Ownership Cha...	578403
2-10257 WRA	Active	ROY, DAWN B; A...	SNAKE RIV...	01/19/19...	01	0.04	1.8	8.6	Ownership Cha...	580512
2-10258 WRA	Active	SCHORZMAN, G...	SNAKE RIV...	01/19/19...	01	0.04	1.8	8.1	Ownership Cha...	585072
2-10259 WRA	Active	THOMPSON, GA...	SNAKE RIV...	01/19/19...	01	0.07	3.6	16.2	Ownership Cha...	585069
2-10260 WRA	Active	OKINS, BETTY M...	SNAKE RIV...	01/19/19...	01	0.04	1.8	8.1	Transfer	585070
2-10246 WRADL	Active									578608
2-2073D WRADL	Active									363764

View Combined Water Right

To view the combined rights, make sure to click on the combined right in the tree view before clicking the button.

Generate Proof Report

Show References Next Step Return to Home Previous Steps: Screen ID null

all 1/19/1949

✓ active	2-2073	12.9	1145
	- 2-2073A parent	0.8	40
parent	- 2-2073B parent	12.10	1705
parent	- 2-2073C	12.06	1103.2
parent	- 2-10245	1.99	99.6
✓ active	- 2-10257	1.98	94.1
✓ active	- 2-10258	0.04	1.9
✓ active	- 2-10259	0.04	1.8
✓ active	- 2-10260	0.04	1.8
✓ active	- 2-10246	0.07	3.6
✓ active	- 2-2073D	0.04	1.8
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698

State of Idaho
License and Certificate of Water Right

Water License No. 20937

Amount 2.9 c.f.s.

Water District No.

Priority Jan. 29, 1949

THIS IS TO CERTIFY that HILBERT HOSKINS - ARLENE HOSKINS, Executrix
of Pleasant Plain, Washington, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 29, 1949; that Permit No. 20937
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.49 second feet, was issued thereunder on January 26, 1954, showing that said works
were completed on the 7th day of January, 1954; and that on the 30th
day of January, 1960,

ARLENE M. HOSKINS, Executrix - HARRY M. HOSKINS, Assignee
of Marsing, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Snake River
, a tributary of Columbia River, for the purpose of irrigation and
domestic use, under Use Permit No. 20937 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 6893, on the 13 day of May, 1960;

The right hereby confirmed dates from January 29, 1949;

The Point of Diversion is located Lot 1

in the -- 1/4 -- 1/4, Sec. 26, Tp. 2 N., R. 4 W., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	4 W.	23	SW 1/4 NW 1/4 (Lot 2)	52.5	40
			NW 1/4 SW 1/4 (Lot 3)	59.6	52
			SW 1/4 SW 1/4	40.0	10
			SE 1/4 SW 1/4 (Lot 4)	29.4	29
		26	NE 1/4 NW 1/4 (Lot 1)	32.8	14
			Total number of acres to be irrigated:		145

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

13 day of May, 1960.

GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

2 2073

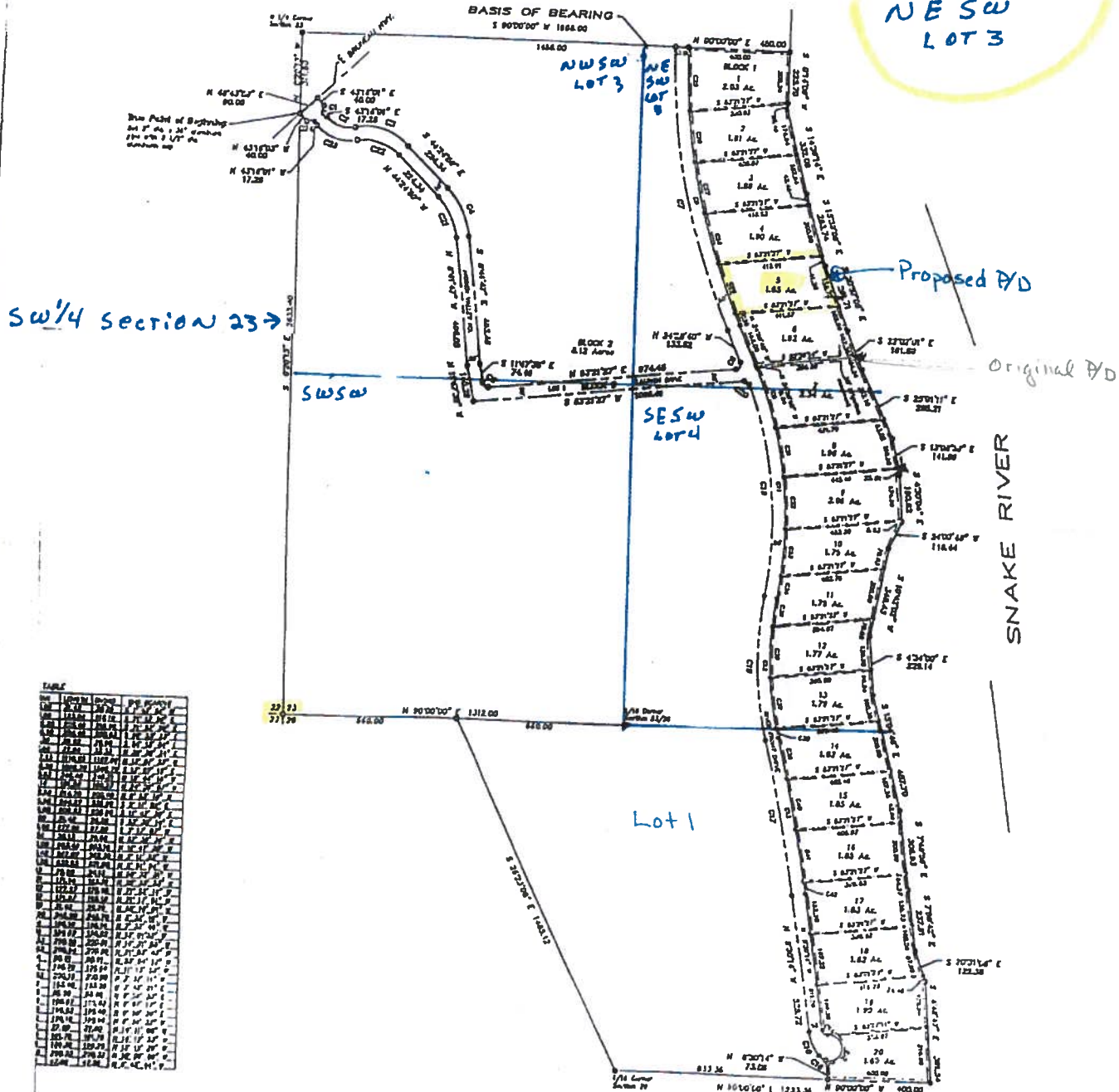
5 of 7

THIS MAP IS PREPARED AS AN ACCORDANCE WITH THE
STRICTLY FOR THE PURPOSES OF A SURVEY
LOCATING THE LAND SHOWN DOES NOT REPRESENT A
SURVEY OF THE LAND OR ANY OTHER SURVEY
REPRESENTATION OF THE SIZE, AREA OR ANY
OTHER FACTS RELATED TO THE LAND SHOWN
THEREON.

HIDDEN VALLEY ESTATES

A PORTION OF GOV'T. LOTS 3&4 AND THE SW1/4SW1/4 OF SECTION 23
ALSO GOV'T. LOT 1 OF SECTION 26
TOWNSHIP 2 NORTH, RANGE 4 WEST, BOISE MERIDIAN
OWYHEE COUNTY, IDAHO
1995

PID: PIU in
NE SW
LOT 3



MICROFILMED
SEP 21 1999





IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02073 A

Date: 5-31-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	2N	4W	23							-2 40										40
GIS										40										40
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 40

Overlapping FOU Claim #'s:

02-02378

Total GIS Acres: 40

COMMENTS:

POU per image interpretation.

POD estimated per claim legal.

Idaho Department of Water Resources

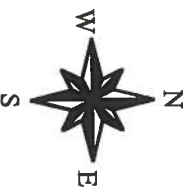
Claim Number: 02-02073A

Legal: T02N, R04W, S23

Reviewed By:

-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

1987 Napp Photo

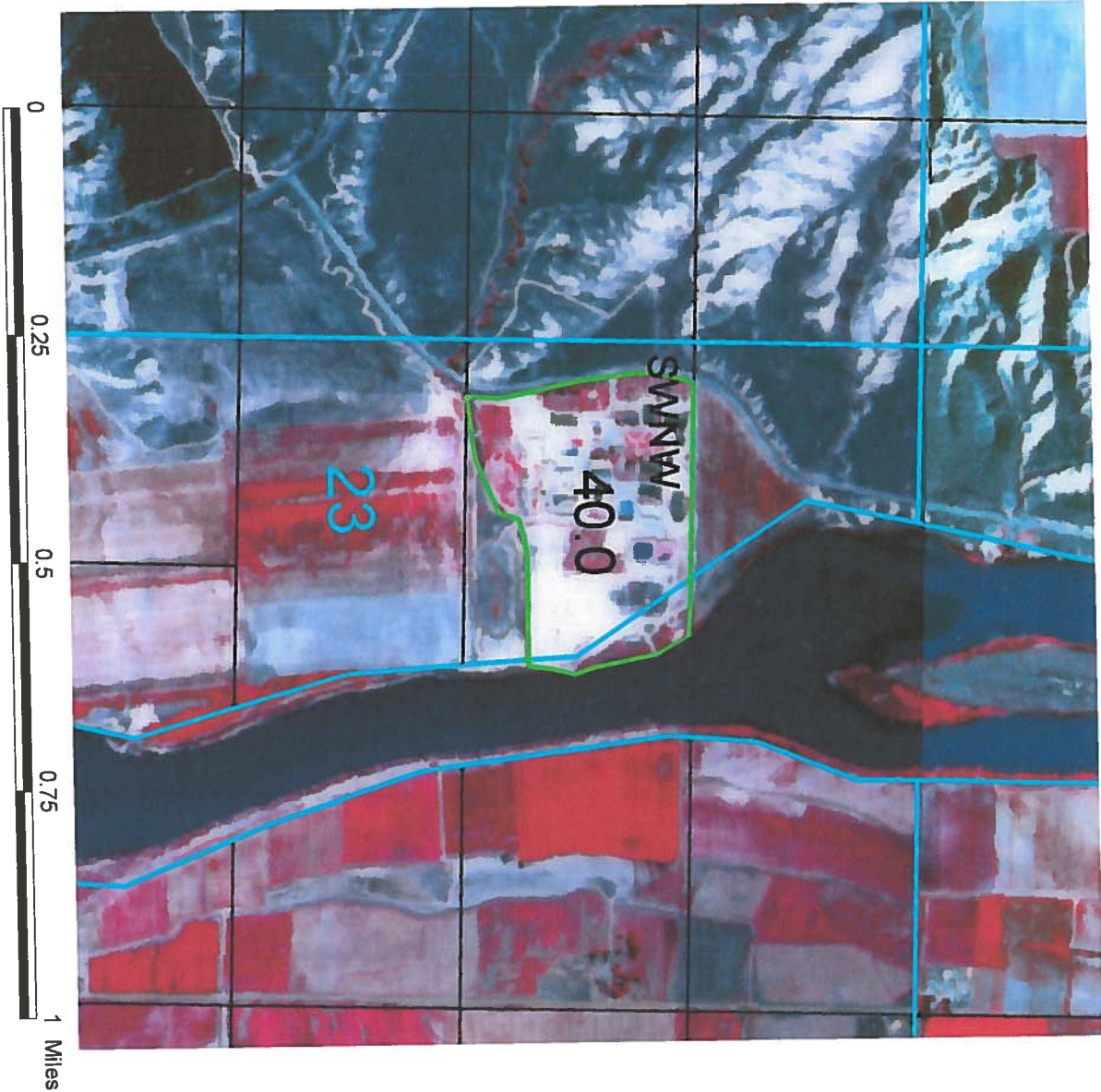


Idaho Department of Water Resources

Claim Number: 02-02073A
Legal: T02N, R04W, S23
Reviewed By:

- Point of Diversion
(located outside view)
- Place of Use
- Section Lines
- Quarter Quarter Lines

1987 Napp Photo



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: **A02-02073A**
Date Received: 12/ 7/1988
Receipt No: C003799
Received By: _____

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

1. Name: ESTATE OF ESTHER ASHE 702-457-3477
Address: JACK HURT PR
4470 VEGAS VALLEY
LAS VEGAS NV 89121

2. Date of Priority: JAN 19, 1949

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	04W	26				1	OWYHEE
			NE	NW		1	OWYHEE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			0.800		
DOMESTIC					

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	23	SW	NW	2	IRR	40.0
Section Acres							40.0
Total Acres							40.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 4/2/92.
OWNERSHIP CHANGE REC'D 02/15/1994 SF.

15. Basis of Claim: LICENSE

Water Right Number: 20937

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

NE	NW
1	1

[illegible]



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: July 20, 1993

RECEIVED

FEB 16 1994

WATER RESOURCES
WESTERN REGION

LEGAL DESCRIPTION OF PROPERTY: Township 2 North Range 4 West
Section 23, SW 1/4 of SW 1/4 of 1/4 Govt. Lot 3 & 4, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See page 2 attached

☐ 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: _____

A02-02073A

☐ Name and Address of Former Owner/Claimant(s)(Seller): Inalee Hurt, PR for Estate of Esther Ashe
4470 Vegas Valley #108

Las Vegas, Nevada 89121

☐ New Owner/Claimant (Purchaser):

Vance VanHall

☐ New Mailing Address:

Rt #1

Marsing, ID 83639

☐ New Telephone Number: (208) 896 - 4848

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Personal Representative's Deed, Ins. #210713 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)

Date _____

Date _____

☒ Signature of Former Owner/Claimant(s):

Inalee Hurt PR
Estate of Esther Ashe

Date 3/15/93

Date 3/15/93

(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

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATERRIGHT OWNERSHIP
PAGE 2

Legal Description Continued

Township 2 North, Range 4 West, Section 26, Govt. Lot 1, B.M.

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by INALEE HURT, as Successor Personal Representative of the Estate of ESTHER ASHE, aka ESTHER F. ASHE, Deceased, Grantor, to VANCE VANHALL, a married man dealing in and with his sole and separate property, Grantee, whose address is Route #1, Box 16, Marsing, Idaho.

WHEREAS, Grantor is the qualified Successor Personal Representative of said Estate, filed as Probate Number 5-340, in Owyhee County, Idaho;

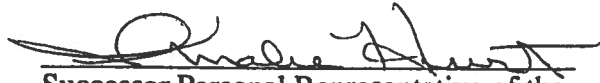
THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in Owyhee County, Idaho:

IN TOWNSHIP 2 NORTH, RANGE 4 WEST, B.M.,
OWYHEE COUNTY, IDAHO

Section 23: Lot 3, Lot 4 and SW1/4SW1/4
Section 26: Lot 1

with all appurtenances, it any.

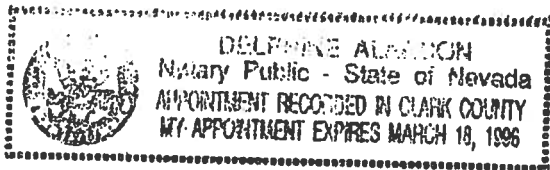
EXECUTED this 14 day of May, 1993.

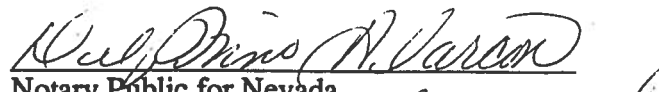

Successor Personal Representative of the
Estate of ESTHER ASHE, aka ESTHER
F. ASHE, Deceased

STATE OF NEVADA)
) SS:
COUNTY OF)

On this 14 day of May, 1993, before me a Notary Public, personally appeared INALEE HURT, known or identified to me to be the person whose name is subscribed to the within instrument as Successor Personal Representative, and acknowledged to me that she executed the same as such Successor Personal Representative.

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




Notary Public for Nevada
Residing at 5085 E. Bonanza Rd
Commission Expires: March 18, 1996

COPY

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: A02-02073
Date Received: 12/ 7/1988
Receipt No: C003799
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ESTATE OF ESTHER ASHE 702-457-3477
Address: JACK HURT PR
4470 VEGAS VALLEY
LAS VEGAS NV 89121

2. Date of Priority: JAN 19, 1949

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	26				1	OWYHEE
			NE	NW		1	OWYHEE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION			2.900		
DOMESTIC					

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	23	SW	NW	2	IRR	40.0
			NW	SW	3	IRR	52.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	23	SW	SW		IRR	10.0
			SE	SW	4	IRR	29.0
						Section Acres	131.0
		26	NE	NW	1	IRR	14.0
						Section Acres	14.0
						Total Acres	145.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 4/2/92.

15. Basis of Claim: LICENSE

Water Right Number: 20937

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
FEB 12 1992

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____

Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

RECEIVED
MAR 2 1992

Department of Water Resources

[] 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: _____

A02-2073

[] Name and Address of Former
Owner/Claimant(s)(Seller): _____

Sam Ashe

Box 501

[] New Owner/Claimant
(Purchaser): _____

Marsing 83639

EST ESTATE OF ESTHER ASHE

LACK HURT P.R.

[] New Mailing Address: _____

4470 VEGAS VALLEY #108

LAS VEGAS NV 89121

[] New Telephone Number: _____

702

(702) 457-3477

[] Does the change in ownership result in a splitting of the water right owned/claimed? ☐ yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of
ownership, describe
proof attached: _____

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

[] Signature of New
Owner/Claimant(s): _____

Date 2/12/92

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 Wa
Copies to Former Owner and New Owner

BARGAIN AND SALE DEED

1 FOR VALUE RECEIVED, SAM ASHE, a married man dealing
2 with his sole and separate property, the Grantor, does hereby
3 grant, bargain, sell and convey unto THE ESTATE OF ESTHER ASHE,
4 aka ESTHER F. ASHE, c/o Jack Hurt, Personal Representative,
5 3925 Boulder Highway, #94, Las Vegas, Nevada, 89121, the
6 Grantee, certain real property situate in Owyhee County, State
7 of Idaho, more particularly described as follows:

8 Lot 4 (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 23, and Lot 1
9 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 26, all in T2N, R4W,
10 B.M.

11 TOGETHER with all water, water rights,
12 ditches and rights of way for ditches
13 thereunto belonging or in anywise
14 appertaining.

15 TO HAVE AND TO HOLD, all and singular, the above
16 described premises, together with the appurtenances, unto the
17 Grantee, its heirs, administrators, executors, successors and
18 assigns forever.

19 IN WITNESS WHEREOF, The Grantor has hereunto set his
20 hand and seal, this 29 day of January, 1992.

21 Sam Ashe (seal)
22 Sam Ashe
23 Grantor
24

1 STATE OF ^{Missouri} ~~IDAHO~~)
2 County of ^{Miller} ~~Miller~~) ss.

3 On this 29 day of January, 1992, before me,
4 the undersigned, a notary public in and for said state,
5 personally appeared SAM ASHE, a married man dealing with his
6 sole and separate property, known to me to be the person whose
7 name is subscribed to the within instrument and acknowledged to
8 me that he executed the same.

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

12
13 *Sheila W. Lamm*
14 Notary Public for ~~Idaho~~ ^{Missouri}
15 Residing at: LAKE OZARK
16 My Commission Expires: 3-31-95

20701
FILED-RECORDED

92 FEB 18 PM 2 54

BARBARA JAYO

OWYHEE COUNTY RECORDER

BY *Barbara Jayo*

DEPUTY

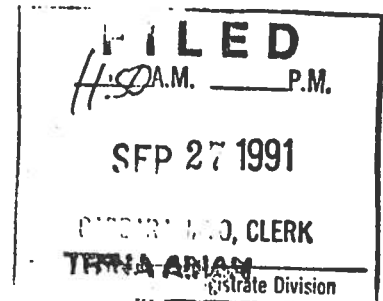
REQUEST OF

Clay & Margaret P.H.

FEE 16.00

INDEXED

MICROFILMED



GARY L. MORGAN, P.A.
ATTORNEY AT LAW
Steunenberg Bldg.
708 Main Street P. O. Box 809
CALDWELL, IDAHO 83606-0309
TELEPHONE (208) 450-6276
FACSIMILE (208) 459-6377

Attorney for Jack Hurt

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE
MAGISTRATE DIVISION - MURPHY SECTION

* * *

In the Matter of the Estate)	Case No. 5-340
of:)	
ESTHER ASHE, aka ESTHER)	
F. ASHE,)	LETTERS TESTAMENTARY
Deceased.)	TESTAMENTARY

1. Jack Hurt was duly appointed and qualified as Personal Representative of the estate of the above named decedent on the 26th day of September, 1991, by the Magistrate, acting as Registrar, with all authority pertaining thereto.

2. Administration of the estate is unsupervised.

3. These Letters Testamentary are issued to evidence the appointment, qualification and authority of said Personal Representative, Jack Hurt.

Letters Testamentary - 1

GARY L. MORGAN, P.A.
ATTORNEY AT LAW
Steunenberg Bldg.
708 Main Street P. O. Box 309
CALDWELL, IDAHO 83606-0309
TELEPHONE (208) 459-6378

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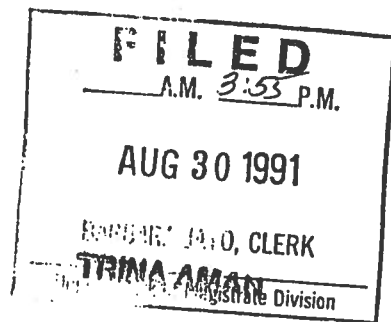
WITNESS, My signature and the seal of this Court this

26 day of September, 1991.

A. MARVIN Cherin

A. Marvin Cherin
Magistrate

STATE OF IDAHO } ss.
County of _____
I hereby certify that the foregoing instru-
ment is a true and correct copy of the
original as the same appears from the
records of the _____ District Court
_____ Clerk of Magistrate Division



GARY L. MORGAN, P.A.
ATTORNEY AT LAW
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708 Main Street P. O. Box 809
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TELEPHONE (208) 459-0870
FACSIMILE (208) 459-6377

Attorney for Jack Hurt

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE
MAGISTRATE DIVISION - MURPHY SECTION

* * *

In the Matter of the Estate)	
of:)	Case No. 5-340
ESTHER ASHE, aka ESTHER F.)	
ASHE,)	AMENDED ORDER OF SETTLEMENT OF
Deceased.)	ESTATE PROCEEDINGS AND
)	DECREE OF PARTIAL DISTRIBUTION
)	

The above entitled matter having come on regularly for hearing before the above entitled Court on the 30th day of July, 1991; Sam Ashe appearing in person and with his attorney of record, Charles B. Bauer, of the firm of Bohner, Chasan, Walton & Bauer, Attorneys at Law, Boise, Idaho; Jack Hurt appearing in person and with his attorney, Gary L. Morgan, Attorney at Law, Caldwell, Idaho; the parties having advised the Court that they had resolved all remaining disputed matters

1 involving the probate of the above estate including the
2 distribution of all remaining assets of the estate and
3 relinquishing any and all claims or causes of action by either
4 Sam Ashe or Jack Hurt against the decedent's estate or by these
5 parties against each other and any claims or causes of action
6 by Jack Hurt and Sam Ashe against James E. Schiller, Personal
7 Representative of decedent's estate; Gary L. Morgan, attorney
8 for Jack Hurt, having introduced into evidence a copy of his
9 letter to Charles H. Bauer dated July 22, 1991 containing a
10 proposed settlement of this matter, said letter being the basis
11 of the parties settlement, as orally modified; the Court having
12 confirmed with Sam Ashe that this was, in fact, his agreement
13 and understanding of the settlement to which Sam Ashe responded
14 it was; the Court having inquired of Gail Ashe (who although
15 not named as a party in any of the estate proceedings, she has
16 been married to Sam Ashe for a substantial period of time and
17 may have acquired a community interest in and to some of the
18 properties involved in this estate and may have acquired a
19 legal interest in and to a contract of sale referred to as the
20 "Perkins Contract" to which she relinquished some of her
21 ownership interest) who indicated that the settlement, as
22 stated, was in fact her agreement and understanding of the
23 settlement; the Court having inquired of Jack Hurt if the
24 settlement as entered in the record was, in fact, his agreement

Amended Order - 2

1 who indicated it was; the Court having accepted the parties
2 terms of settlement of the estate; the Court having directed
3 attorney, Gary L. Morgan, to draft an order reflecting the
4 parties settlement; and the Court being fully advised in the
5 premises:

6 NOW, THEREFORE, IT IS HEREBY ORDERED, AND THIS DOES
7 ORDER as follows:

8 1. Sam Ashe and his wife, Gail, (as it may pertain to
9 any legal interest Gail Ashe may have acquired during her
10 marriage to Sam Ashe), hereby surrender, convey and release to
11 the Estate of Esther Ashe, aka Esther F. Ashe, all of their
12 right, title and interest in and to all of the real property
13 situate in Owyhee County, State of Idaho, acquired during the
14 marriage of Sam Ashe and the decedent, Esther Ashe, aka Esther
15 F. Ashe, or during the probate of the decedent's estate,
16 together with all water rights of the Gem Irrigation District,
17 water permits with the State of Idaho to pump irrigation water
18 from the Snake River, all pumping and irrigation equipment and
19 all farming implements and equipment, except for two (2) parcels
20 of real estate, and all water rights pertaining thereto, which
21 the estate shall convey to Sam Ashe more particularly described
22 as follows:

- 23 A. That certain real property located in Section
24 11, Township 2 North, Range 4 West,
Boise Meridian, Owyhee County, Idaho

1 which adjoins the property
2 upon which a mobile home occupied
3 by Sam and Gail Ashe is located. This
4 parcel is numbered Parcel No. 613 on a
5 map identified as Map No. 3105 which was
6 reviewed by the parties in Court at the time
7 of hearing, said property being bounded
8 by the Bruneau Highway on the East, the
9 Rathbone property on the North and West
10 and BLM property on the South. Sam Ashe
11 shall be responsible for preparation
12 of the deed and the correct legal
13 description for said premises.

14 B. Parcel I Government of Section 15,
15 Township 2 North, Range 4 West, Boise
16 Meridian, Owyhee County, Idaho. Sam
17 Ashe shall be responsible for preparation
18 of a deed and the correct legal
19 description for said premises.

20 2. Sam Ashe and Gail Ashe shall, if necessary, execute
21 any and all necessary deeds and documents which may be
22 necessary to transfer their ownership interest in and to the
23 real property situate in Owyhee County, Idaho to the Estate of
24 Esther Ashe, and the Estate of Esther Ashe shall execute any
and all documents which may be necessary to convey the real
property hereinabove described to Sam Ashe.

1 This conveyance by Sam and Gail Ashe not only
conveys Sam Ashe's one-half (1/2) interest in and to the real
property situate in Owyhee County, Idaho, except for the
parcels hereinabove described, but also conveys all of the
right, title and interest of heirs Brett Hurt and Timothy Hurt
in and to the decedent's estate by reason of the fact that Sam

Ashe has previously purchased their interest(s) in and to the decedent's estate and Sam and Gail Ashe are relinquishing all of their interest, however acquired, in and to said properties as a term and condition of this settlement.

4. Sam and Gail Ashe will release, convey and assign to the decedent's estate one-half (1/2) of their ownership interest in and to a contract known as the "Perkins contract" with an approximate unpaid principal balance of \$123,000.00 bearing interest at the rate of 10.5% interest, which said contract reposes in escrow at West One Bank, Nampa, Idaho. Gary L. Morgan shall have an opportunity to review the "Perkins contract" to ascertain that the same is legal and valid; that it is held in escrow; that it does have an approximate unpaid principal balance owing of \$123,000.00; and that there is clear title to the underlying property which is the security for said contract except for a first mortgage.

5. Sam and Gail Ashe surrender all of their right, title and interest in and to the contract of sale known as the "Gannuscio contract".

6. The decedent's estate surrenders to Sam Ashe all of the crops growing upon estate property for the 1990-1991 farm year and the proceeds received from the sale thereof, subject to any and all farming expenses relating to said crops which shall include the 1990 real property taxes and the first seven

GARY L. MORGAN, P.A.
ATTORNEY AT LAW
Steunenberg Bldg.
708 Main Street P. O. Box 309
CALDWELL, IDAHO 83606-0309
TELEPHONE (208) 450-6376

1 (7) months' property taxes for the 1991 year; all water
2 assessments for the 1990-1991 farm year; and any and all
3 accounting fees which may be incurred by Sam Ashe for the 1990-
4 1991 farm year.

5 7. The 1969 Volkswagen which is located at Meridian,
6 Idaho shall be transferred to Brett Hurt and it shall be Brett
7 Hurt's responsibility to acquire physical possession of this
8 vehicle. The estate shall execute any and all documents which
9 may be required to transfer title to Brett Hurt.

10 8. Sam and Gail Ashe relinquish all of their right,
11 title and interest in and to the mineral rights of any property
12 located in Kern County, California which are in the name of
13 Esther Ashe and/or Sam Ashe and they will execute any and all
14 documents which may be necessary to transfer said mineral
15 rights to the decedent's estate.

16 9. The decedent's estate shall be responsible for
17 preparation and filing of the Federal 706 tax return and the
18 estate shall be responsible for any and all tax liability
19 concerning the estate. The estate shall also be responsible
20 for any and all remaining expenses incurred from and after July
21 30, 1991 as they shall pertain to accountant fees, personal
22 representative fees, attorney fees, etc.

23 10. Sam Ashe hereby terminates and forever relinquishes
24 any claim he may have against the decedent's estate for any

Amended Order - 6

MICROFILMED

AUG 07 1992

1 statutory allowances such as statutory living allowance,
2 statutory personal property allowance, statutory homestead
3 allowance and any claim he may have for management fees. The
4 estate shall relinquish any claim it has against Sam Ashe for
5 the approximate \$18,000.00 on deposit in the First National
6 Bank Checking Account held in the names of Sam and Esther Ashe
7 at the time of Esther's death, together with accrued interest
8 thereon.

9 11. The estate terminates and forever relinquishes its
10 claim against Sam Ashe for any monies held in any stock
11 brokerage accounts that were in existence at the time of
12 decedent's death and any transactions that Sam Ashe made with
13 these monies since the date of decedent's death.

14 12. Sam Ashe shall have no further involvement in any
15 estate matters except for his interest in the crops and crops
16 proceeds for the 1990 and 1991 farm years.

17 13. All terms of the parties stipulated agreement are
18 final and become effective as of the 30th day of July, 1991.
19 All items of property in the possession and Sam and Gail Ashe
20 as of July 30, 1991 which belong to the estate shall be
21 immediately surrendered to the estate; provided that those
22 properties which presently have growing crops shall be turned
23 over to the estate at such time as said crops are harvested,
24 but in no event later than November 1, 1991. All farm

implements and irrigation equipment, including irrigation pumps, shall be immediately delivered to the estate. All rent owing on the home located at Marsing, Idaho from and after July 30, 1991 shall belong to the decedent's estate and in the event Sam Ashe should collect any rents from and after July 30, 1991, these rents shall be delivered to the decedent's estate. All further payments owing under the Gannuscio contract as of July 30, 1991 belong to the estate and any payments received by Sam Ashe from and after July 30, 1991 shall be delivered to decedent's estate. One-half (1/2) of all principal and accruing interest under the Perkins Contract which reposes in escrow at West One Bank from and after July 30, 1991 shall be paid to the decedent's estate and said escrow holder is hereby directed to apply 50% of all payments of principal and interest from and after July 30, 1991 to the Estate of Esther Ashe or to such other person as the estate may direct.

14. Sam Ashe shall relinquish and forever release any and all claims or causes of action for monies owing or damages against the Estate of Esther Ashe previously accruing or which may hereafter accrue as they shall pertain to the Estate of Esther Ashe, Jack Hurt and the heirs of Esther Ashe and James E. Schiller, Personal Representative.

15. Jack Hurt shall relinquish and forever release any and all claims or causes of action for monies owing or damages

Amended Order - 8

1 against the Estate of Esther Ashe previously accruing or which
2 may hereafter accrue as they shall pertain to the Estate of
3 Esther Ashe, Sam Ashe and the heirs of Esther Ashe and James E.
4 Schiller, Personal Representative.

5 16. All conveyances of properties and all
6 relinquishment of rights in and to properties by Sam Ashe as
7 herein set forth not only pertain to his ownership of his
8 community interest in and to said property, but also pertain
9 to his ownership in the estate by reason of his acquiring all
10 of the estate interest of the heirs, Brett Hurt and Timothy
11 Hurt.

12 17. Sam Ashe, Gail Ashe and Jack Hurt shall execute any
13 and all necessary documents which may be required to effectuate
14 the terms of this agreement.

15 18. This Order and Decree of Distribution may be
16 recorded with the office of the Owyhee County Recorder and by
17 its terms is adopted by the Court as a Partial Decree of
18 Distribution.

19 19. The remaining heirs of the Estate of Esther Ashe,
20 and their respective percentage ownership interest in and to
21 the Estate of Esther Ashe are as follows:

22 Sam Ashe - 0%;
23 Brett Hurt - 0%
24 Timothy Hurt - 0%
Jack Hurt - 40.74%
Michael Hurt - 19.75%

Alan Hurt - 19.75%
Adam Hurt - 9.88%
Kevin Hurt - 9.88%

20. James E. Schiller, Personal Representative, or his replacement, is hereby directed to take all steps which may be necessary to effectuate the conclusion of this estate and to carry out all provisions herein contained and to do any and all acts which may be necessary to finalize this estate and distribute the estate's remaining assets.

Dated this 29th day of August, 1991.

A. MARVIN CHERIN

A. Marvin Cherin
Magistrate

GARY L. MORGAN, P.A.

ATTORNEY AT LAW

Steunenberg Bldg.

708 Main Street P.O. Box 309

CALDWELL, IDAHO 83606-0309

TELEPHONE (208) 458-6378

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: A02-02073
Date Received: 12/07/1988
Receipt No: COO3799
Received By: RLT.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SAM ASHE
Address: P.O. BOX 501
MARSING, ID 83639
208-896-4250

2. Date of Priority: JAN 19, 1949

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	26				1	OWYHEE
			NE	NW		1	OWYHEE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			2.900		
DOMESTIC					

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	23	SW	NW	2	IRR	40.0
			NW	SW	3	IRR	52.0

A02-02073

Page 1

Date: 12/07/88

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	23	SW	SW		IRR	10.0
			SE	SW	4	IRR	29.0
						Section Acres	131.0
		26	NE	NW	1	IRR	14.0
						Section Acres	14.0
						Total Acres	145.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20937

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): Sam Ashe Date: 12-7-88

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of December 19 88

Glen Fanning
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12-1-1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date April 2, 1992

[]

Estate of Esther Ashe
Jack Hurt, Personal Representative
[4470 Vegas Valley, #108]
Las Vegas, NV 89121

Notice of Claim No.(s) A02-02073

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

~~MICROFILMED~~
AUG 07 1992

March 16, 1992

Jack Hurt, Personal Representative
Estate of Esther Ashe
4470 Vegas Valley, #108
Las Vegas, NV 89121

Dear Mr. Hurt:

SUBJECT: Notice of Claim to a Water Right numbered A02-02073

This letter is in regard to the change in ownership sent to our office for the above adjudication claim which is appurtenant to land listed under the name of Sam Ashe.

This information, however, does not show Mr. Ashe as owner of the land which is listed under the place of use for the above numbered claim. The land listed on the form you submitted is located in T2N, R4W, Section 11 and in T2N, R4W, Section 15 and the land listed on the claim for which we need evidence of ownership is located in T2N, R4W, Section 23, SWNW, W1/2SW, SESW and Section 26, NENW. I am enclosing a copy of this claim for your reference.

Please submit this ownership information within 30 days of the date of this letter so I will be able to complete your ownership request promptly. If you have questions, be sure and contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure: Copy of A02-02073

~~MICROFILMED~~
~~AUG 07 1992~~



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 24, 1992

RECEIVED

FEB 26 1992

Jack Hunt, Personal Representative
Estate of Esther Ashe
4470 Vegas Valley, #108
Las Vegas, NV 89121

Department of Water Resources
Western Regional Office

Re: Snake River Basin Adjudication (SRBA)
Change of Ownership - Claim No. A02-02073

Dear Mr. Hunt,

We are returning your Change of Ownership form filed for property in Elmore County. Before we may process this change, we must have documentation that you are authorized to sign the form. Please obtain a copy of the documents that name you as the personal representative of the Estate of Esther Ashe and some proof that the Estate owns the property previously claimed by Sam Ashe.

Please return these documents to my attention. Do not hesitate to contact this office if you have any questions.

Sincerely,

Roxanne McCarthy

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:west

Enclosures:

Change of Ownership Form
for Claim No. A02-02073

~~MICROFILMED~~
AUG 6 7 1992

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON DRAINAGE BASIN.
BORDER.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2073	
I.D. No.	Map No.
\$ 10	18855
Fee Paid	Receipt No.

Notice is hereby given that Sam Ashe
(Name of Claimant)
Box 197, Marsing, ID 83639 Telephone No. _____
(Mailing Address) (Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 1/29/1949
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|---|
| Quantity <u>2.9</u> cfs
<u>264</u> (CFS, GPD, AF) | Use <u>Irrigation A</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ (CFS, GPD, AF) | Use _____ (Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ (CFS, GPD, AF) | Use _____ (Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ (CFS, GPD, AF) | Use _____ (Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 264 2.9 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NE Lot 4
Sec. 23, Twp. 2N, Rge. 4W, B.M., Owyhee 73 County
Additional Points: SCI: 8720(1) 429.1
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Pump and Pipeline

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>2N</u>	<u>4W</u>	<u>23</u>							<u>1.2</u>				<u>1.3</u>	<u>2.4</u>					<u>113</u>
		<u>26</u>					<u>1.1</u>												<u>19</u>

Total no. of acres 132

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- NOTE: Include here the type and number of stock watered: _____
- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks _____
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 20937/02-2073

KEYPUNCHED
CW 8/28/84

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

April 22, 1981
(Date)
State of Idaho Organization _____
County of Ada ss. Seal _____
On this 22nd day of April, in the year 1981 before me
a notary public, personally appeared Sam Ashe
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.
My commission expires Life Notary Public residing at Boise

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON DRAINAGE BASIN.
BORDER.

NOTICE OF CLAIM
TO A
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Notice is hereby given that Sam Ashe
(Name of Claimant)
Box 197, Marsing, ID 83639 Telephone No. _____
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:
(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) _____
1/29/1949

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) _____
Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 2.9 cfs Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 2.9 cfs TOTAL QUANTITY CLAIMED. Lot 1
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 26, Twp. 2N, Rge. 4W, B.M., Owyhee County
Additional Points: _____

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

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

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
									<u>L.2</u>			<u>L.3</u>							
<u>2N</u>	<u>4W</u>	<u>23</u>							<u>40</u>			<u>52</u>	<u>10</u>	<u>29</u>					<u>131</u>
								<u>L.1</u>											
		<u>26</u>						<u>14</u>											<u>14</u>

Total no. of acres 145

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

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

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

(8) Remarks _____

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
DVS ☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 20937/02-2073

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

April 22, 1981
(Date)

Sam Ashe
(Signature of Claimant)

State of Idaho
County of Ada ss. Organization _____
Seal _____

(Signature of Spouse)

On this 22nd day of April, in the year 1981 before me
a notary public, personally appeared Sam Ashe
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or _____) executed the same.

My commission expires Life Notary Public residing at Noise

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 5/19/83

Right No. 02-2073

Claimant ASHE

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.

Include copies or memos where applicable to explain findings.

☒ License

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. COPY IN THIS FILE

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date _____

☒ Adj. Report in file 5/16/83 MEMO ☒ Beneficial Use Report in License (S.O.) File COPY IN THIS FILE

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. OPALENE GULCH 2874-77-138.

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____



CONVERSATION MEMORANDUM

Field TripDATE 5/16/83FILE 02-2073NAME OF PARTY Sam A. SteEMPLOYEE John K. Meyer.

RE: Original P.D. 41 NE NW Sec 26 T2N
R4W has been abandoned. New P.D
is Lot 4^{NE} (SE SW) Sec 23 T2N R4W. 100 HP G.E
motor serial # AJO4201 used to pressurize
sprinkler system - 15 HP Solen motor serial
A01014033 lifts pump - to pump water
from back R. into holding tank for
larger motor. 13 1/2 acres sprinkled
out of this site + ASC's acreage.
No transfer of P.D. in vault.



State of Idaho License and Certificate of Water Right

Water License No. 20937 Amount 2.9 c.f.s.
Water District No. Priority Jan. 29, 1949

THIS IS TO CERTIFY that JERRY JOHNSON, Executive of Pleasant Plain, Washington, made application for a permit to appropriate the public waters of the State of Idaho, dated January 29, 1949; that Permit No. 20937 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.46 second feet, was issued thereunder on January 26, 1950, showing that said works were completed on the 7th day of January, 1950; and that on the 30th day of January, 1950,

JERRY JOHNSON, Executive of Pleasant Plain, Washington, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Snake River, a tributary of Columbia River, for the purpose of irrigation and domestic use, under Use Permit No. 20937 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 4802, on the 13 day of May, 1960;

The right hereby confirmed dates from: January 29, 1949;

The Point of Diversion is located Lot 1

in the -- 14 -- 1/4 Sec. 26, Tp. 2 N., R. 14 W., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	14 W.	23	SW 1/4 NW 1/4 (Lot 2)	52.5	40
			NW 1/4 SW 1/4 (Lot 3)	59.5	52
			SW 1/4 SW 1/4	40.0	10
		26	SE 1/4 SW 1/4 (Lot 4)	29.4	29
			NE 1/4 NW 1/4 (Lot 1)	32.8	14
			Total number of acres to be irrigated:		145

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE IDAHO
REPORT OF ENGINEER

Permit No. 20937

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Harry G. Hoskins, 634 W. Washington St. Meridian, Idaho
2. Source of water supply: Snake River, Tributary of the Columbia River
3. Location of point of diversion: Is in the Lot 2, Sec. 23, and Lot 1 of Section 26
T. 2 N R. 4 W County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same: *Two pumps
No. 1 6x6x10 ft. with 15 H.P. motor = Suction pipe 8" 30' long.
rise 31 Vertical Lift thru 6" pipe 110' long with 8" on upper end
90' long. No 2 6" peerless pump belt driven GE motor 25 H.P.
suction pipe 8" by 40' discharge thru 10" 520' long. Rise
12 ft.*
5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: *Yes*
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW 1/4, Lots 2, 3, and 4, Sec. 23; Lot 1, Sec. 26, all in T. 2 N.,
R. 4 W., B.M.

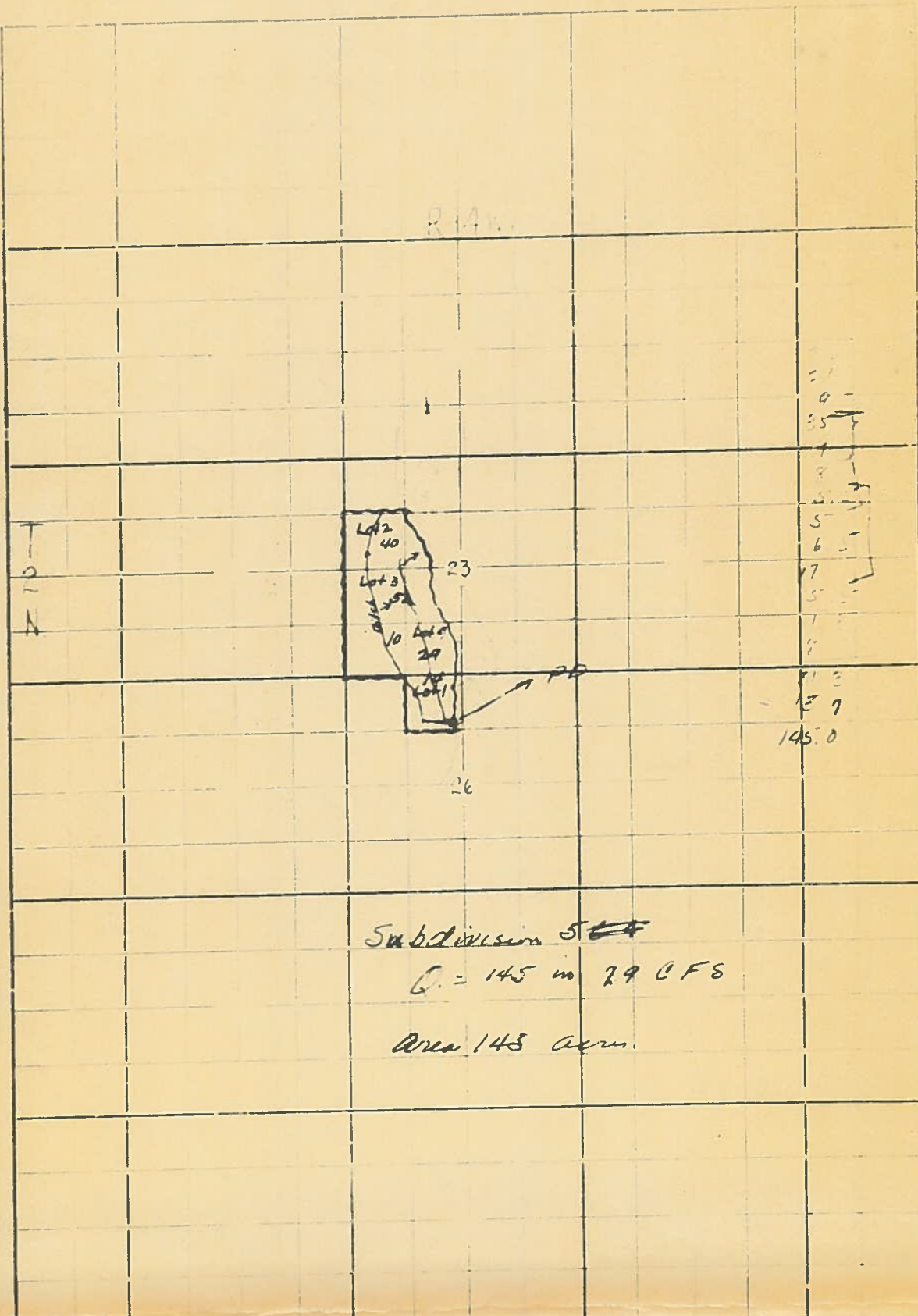
(Submit map on attached plat, showing location and details of above description)

8. What large stream would the water here appropriated finally reach?

Remarks:

*The No 2 was pumping to the upper ditch and was
delivering a good flow. No measurement was
taken*

Mr Hoskins was present during examination



Subdivision 5

$Q = 145$ in 29 CFS

Area 143 Acres.

14RD437

ADJUDICATION PROOF READING REPORT

12/12/84

PAGE

WATER RIGHT NUMBER 02-2073 ✓

OWNER LAST NAME - ASHE

ADDRESS LINE 1 - P.O. BOX 197

ADDRESS LINE 2 -

SOURCE - SNAKE RIVER

STAGE -

STATUS -

TOTAL DIV. VOLUME -

DIVERSION POINT - SESW 23 02N 04W LOT 04 REDIV -

FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE - IRRIGATION

USE - IRRIGATION

DEGREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE -

DIVERSION MEANS - PUMP & PIPELINE.

FIRST NAME - SAM

ADDRESS LINE 2 -

CITY - MARSING

TRIBUTARY OF - COLUMBIA RIVER

PRIORITY - 01-29-1949

WATER DIST. - 02

DLE/CAREY ACT -

COUNTY - OWYHEE

RIGHT BASIS - E

TOTAL DIV. RATE -

2.6400 -CFS

USE DIV. VOLUME -

2.6400 CFS

TRACT NENW LOT 01 AC 19

TRACT SWNW LOT 02 AC 03 TRACT

TRACT SWSW LOT

AC 24 TRACT

TRACT SWSW LOT

DATE -

TOTAL ACRES

132

PERMIT/DENIED -

COND. OF APPROVAL -

FLD EXAM -

PUMP & PIPELINE.

PROTESTED -

HEARING -

OLD NO. -