

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

RECEIVED

FEB 10 2006

WATER RESOURCES
WESTERN REGION

RECEIVED

FEB 14 2006

DEPARTMENT OF
WATER RESOURCES

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
2-7086		N			
2-2100A		N			

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION. See Warranty Deed attached.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Linda L. Yanke and Daniel R. Yanke

4414 S. Gekeler Lane, Boise, ID 83716

4. ☒ New Owner/Claimant(s)

James W KRAUZ / Carol JKRAUZ

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

- ☒ New Mailing Address

910 N Curtis Rd.

- ☒ City, State and ZIP Code

Boise Id 83706

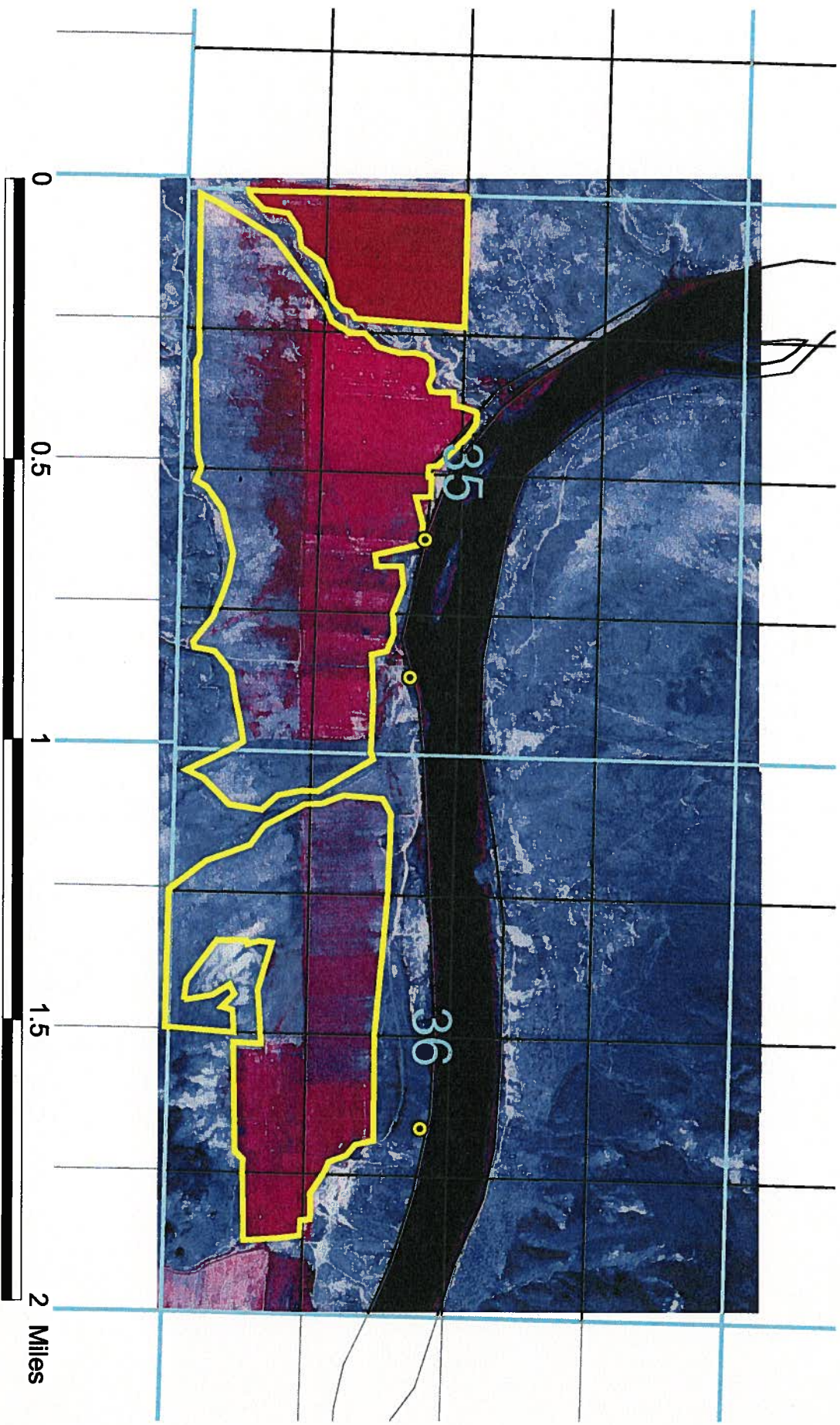
- ☒ New Telephone Number

(208) 377-3777

5. ☒ Date you acquired the property

1-25-06

Idaho Department of Water Resources



Claim Number: 02-02100A, 02-07086
Legal: T03S, R01E, S35 & 36
Reviewed By: SJR 2/2/05

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



SCANNED

DOWN - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-2100 A Date: 5-9-02

	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	3S	1E	35									9-33	5-36	8-25	7-35	7-21	8-27	23	32	232
GIS												33	37	34	37	18	28	31	27	245
Claim			36									6-27	5-25	22	25	8-1	7-19	21		140
GIS												21	21	12	40	1.5	18	20	8.1	169.6
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's _____

Total Claimed Acres: 372

Overlapping POU Claim #'s:

Total GIS Acres: 414.6

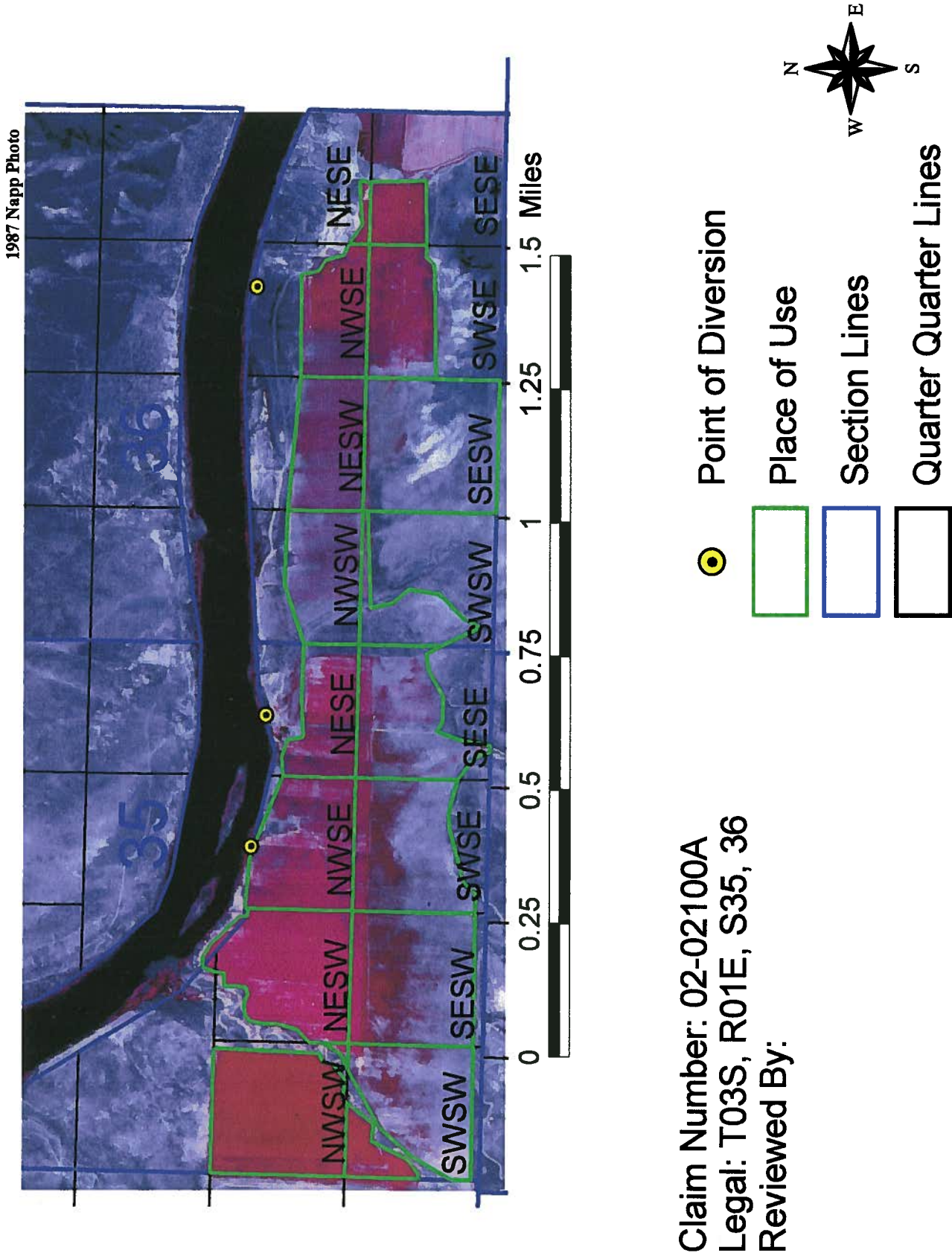
02-07086

COMMENTS:

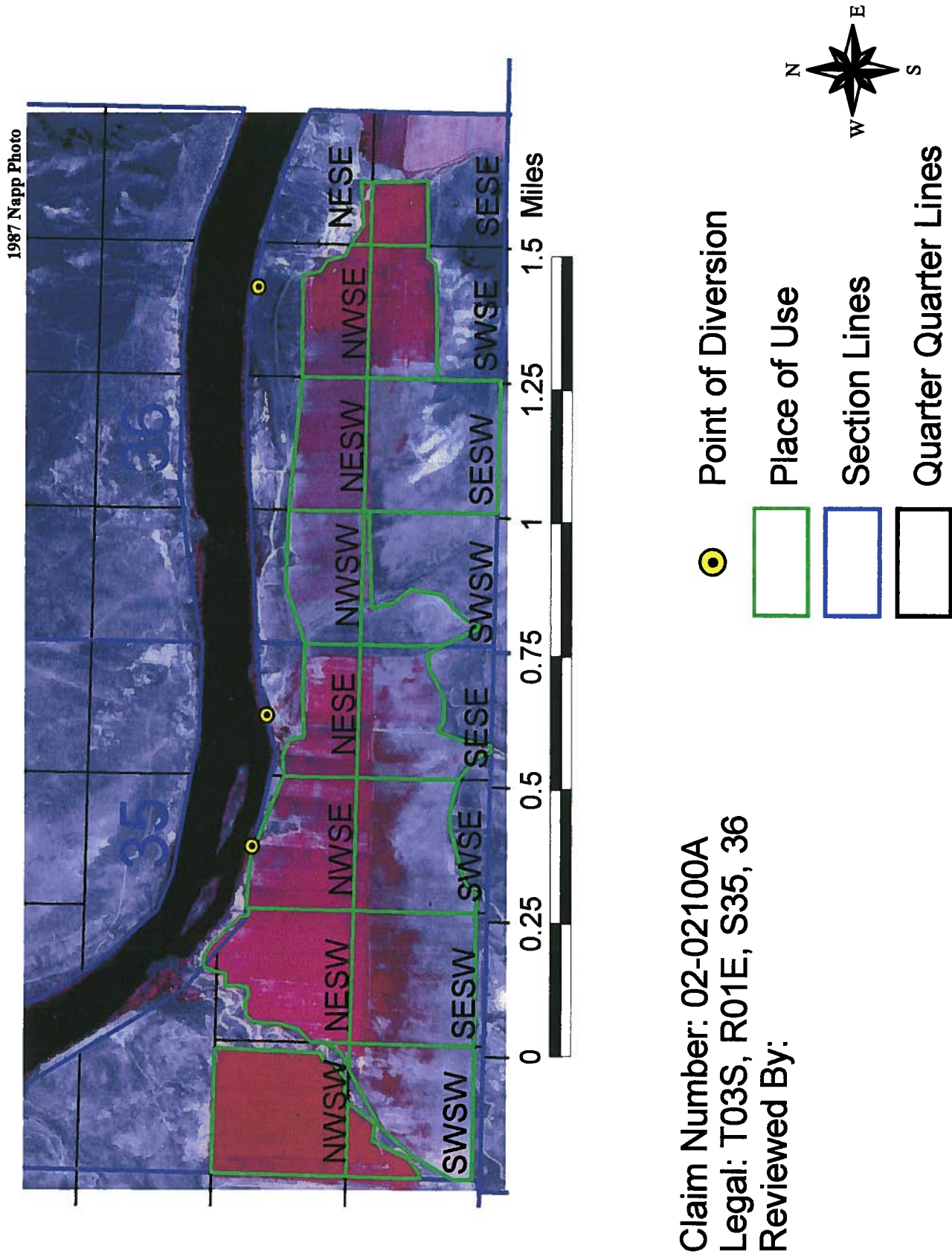
POU per image interpretation, overlapping claim + claim map.

PODs per claim map + legal.

Idaho Department of Water Resources

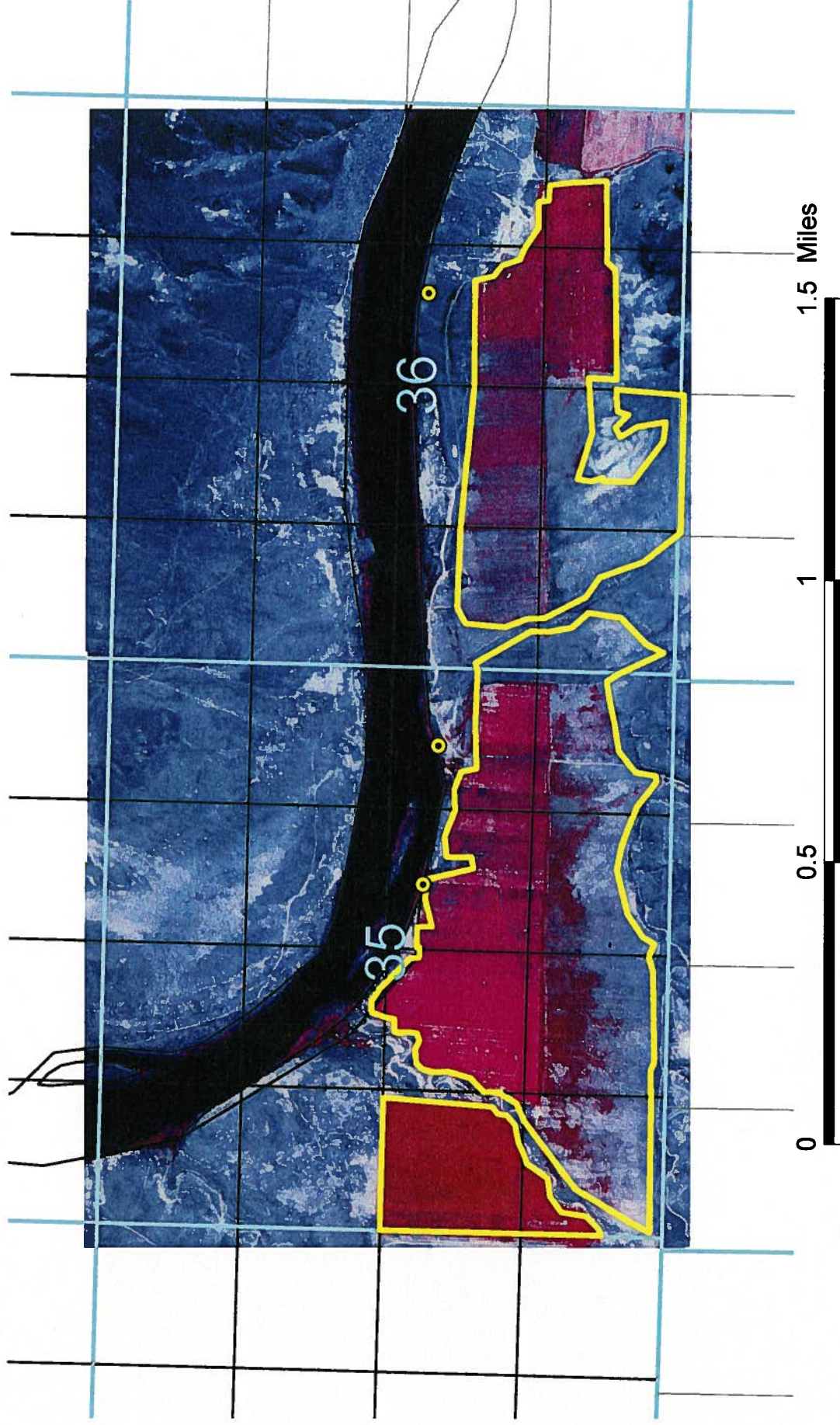


Idaho Department of Water Resources



Claim Number: 02-02100A
Legal: T03S, R01E, S35, 36
Reviewed By:

Idaho Department of Water Resources



Claim Number: 02-2100A, 02-07086
Legal: T03S, R01E, S35 & 36
Reviewed By: SJR 2/2/05

08/01/2005

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

RIGHT NUMBER: 2-2100A

NAME AND ADDRESS: LINDA L YANKE
C/O RICHARD D HEATON ESQ
4414 S GEKELE LN

BOISE ID 83705

DANIEL R YANKE
C/O RICHARD D HEATON ESQ
4414 S GEKELE LN

BOISE ID 83705

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.800 CFS
630.000 AFY

PRIORITY DATE: 07/15/1952

POINT OF DIVERSION:

T03S R01E S35 NESE Lot 7 Within OWYHEE County

T03S R01E S35 NWSE Lot 8 Within OWYHEE County

T03S R01E S36 NWSE Lot 7 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.800 CFS 630.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County

T03S R01E S35	NESW	1.0	T03S R01E S35 Lot 9 NESW	32.0
T03S R01E S35	NWSW	36.0	T03S R01E S35	SWSW 29.0
T03S R01E S35	SESW	36.0	T03S R01E S35 Lot 7 NESE	18.0
T03S R01E S35 Lot 8 NWSE		27.0	T03S R01E S35	SWSE 28.0
T03S R01E S35	SESE	25.0	T03S R01E S36 Lot 6 NESW	21.0
T03S R01E S36 Lot 5 NWSW		19.0	T03S R01E S36	SWSW 24.0
T03S R01E S36	SESW	30.0	T03S R01E S36 Lot 8 NESE	1.0
T03S R01E S36 Lot 7 NWSE		17.0	T03S R01E S36	SWSE 20.0
T03S R01E S36	SESE	8.0		
		372 ACRES TOTAL		

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

USE OF THIS RIGHT WITH RIGHT NO. 02-07086 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 372 ACRES IN A SINGLE IRRIGATION SEASON.

This right is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 02-07086 is also diverted through the point(s) of diversion described above.

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Prior to diversion of water under Right Nos. 02-02100A and 02-07086, flow measurement ports or other devices approved by the Department shall be installed on all points of diversion.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4119
WATER RIGHT NO(S). 02-02100A/02-07086

This is to certify that: **ALFRED L HEYWOOD**
HC 79 BOX 2310
OREANA ID 83650

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 02-02100A :			
IRRIGATION	03/15 to 11/15	2.80 CFS	630.0 AF
Priority: 07/15/1952			
Right No. 02-07086 :			
IRRIGATION	03/15 to 11/15	4.64 CFS	1044.0 AF
Priority: 07/28/1971			

SOURCE

SNAKE RIVER

TRIBUTARY OF

COLUMBIA RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 7(NESE), Sec. 35, Township 03S, Range 01E
Lot 8(NWSE), Sec. 35, Township 03S, Range 01E
Lot 7(NWSE), Sec. 36, Township 03S, Range 01E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	01E	35	Lot 9(NESW) 33	NWSW 36	SWSW 25	
			SESW 35	Lot 7(NESE) 21	Lot 8(NWSE) 27	
			SWSE 23	SESE 32		232
		36	Lot 6(NESW) 27	Lot 5(NWSW) 25	SWSW 22	
			SESW 25	Lot 8(NESE) 1	Lot 7(NWSE) 19	
			SWSE 21			140
				Total number of acres irrigated:		372

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

RECORDED

1993

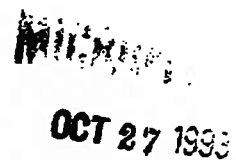
TRANSFER NO. 4119
WATER RIGHT NO(S). 02-02100A/02-07086

CONDITIONS/REMARKS:

2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Prior to diversion of water under Right Nos. 02-02100A and 02-07086, flow measurement ports or other devices approved by the Department shall be installed on all points of diversion.
6. Right No. 02-02100A is limited to the irrigation of 140 acres in the place of use described above in a single irrigation season.
7. Right No. 02-07086 is limited to the irrigation of 232 acres in the place of use described above in a single irrigation season.

Dated this 21st day of October, 1993.


Chief, Water Alloc. Bureau


OCT 27 1993

1

original application 2-200 of Nettleton 5.42 271 ac
transfer #1937 → A - Nettleton 2.62 (B claim) 131 ac
approved 3/76
B - J Nettleton 2.80

388.5 ac in claim POU Kwaters shape
need to trim 16.5 ac

35 2100 west

36



claim POU "identical, match transferred right

7086 - 4.64 - 1044 (232 ac @ 4.5 gfs/ac)
2100A - 2.80 - 630 (372 - 232 = 140 @ 4.5/ac = 630 gfs)

232 acres * .02 gfs/ac = 4.64 ✓

140 ac * .02 gfs/ac = 2.8 gfs ✓

$\Sigma = 372 ac$
48
40 $\Sigma = 386.6$

28
28 red = Kwaters 615

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

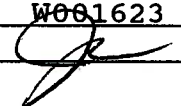
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02100A

Date Received: 12/13/1988

Receipt No: W001623

Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALFRED L HEYWOOD 208-834-2716
Address: HC 79 BOX 2310
OREANA ID 83650

2. Date of Priority: JUL 15, 1952

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
03S	01E	35	NE	SE		7	OWYHEE
			NW	SE		8	OWYHEE
		36	NW	SE		7	OWYHEE

5. Description of diverting works:
PUMPS, MAINLINE, LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.800		630.00

7. Total Quantity Appropriated is:
2.800 C.F.S. (and/or) 630.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	01E	35	NE	SW	9	IRR	33.0
			NW	SW		IRR	36.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03S	01E	35	SW	SW		IRR	25.0
			SE	SW		IRR	35.0
			NE	SE	7	IRR	21.0
			NW	SE	8	IRR	27.0
			SW	SE		IRR	23.0
			SE	SE		IRR	32.0
					Section Acres		232.0
		36	NE	SW	6	IRR	27.0
			NW	SW	5	IRR	25.0
			SW	SW		IRR	22.0
			SE	SW		IRR	25.0
			NE	SE	8	IRR	1.0
			NW	SE	7	IRR	19.0
			SW	SE		IRR	21.0
			Section Acres		140.0		
			Total Acres		372.0		

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:
02-07086

14. Remarks:

THIS CLAIM HAS EXPANDED ACREAGE AS FOLLOWS:
SECTION 36, NWSE ORIGINALLY FOR 19 ACRES, EXPANDED TO 28 ACRES.
TRANSFER APPROVED 10-21-93 WITH THE FOLLOWING REMARKS--*SEE NOTE
PRIOR TO DIVERSION OF WATER UNDER RIGHT NOS. 02-02100A AND
02-07086, FLOW MEASUREMENT PORTS OR OTHER DEVICES APPROVED BY THE
DEPARTMENT SHALL BE INSTALLED ON ALL POINTS OF DIVERSION.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES IN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
SEE ALSO THE TRANSFER APPROVAL CONDITIONS LISTED ON THE ATTACHED
PROOF REPORT AND DATA ENTERED ON THIS CLAIM.
*NOTE: TRANSFER APPROVAL DELETED THE EXPANDED ACRES LISTED ABOVE
AND THIS CLAIM HAS BEEN AMENDED ACCORDINGLY. AT THE TIME OF
VERIFICATION AN EXPANSION CLAIM MAY BE NEEDED FOR THESE 9 ACRES.

15. Basis of Claim: LICENSE

MICROFILMED

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

Twp	Rng	Sec	Tract	Lot	Place of Use		County
					Acres	Description	
03S	01E	35	NE SW	9	33.0	01 IRRIGATION	OWYHEE (73)
	01E	35	NW SW		36.0	01 IRRIGATION	OWYHEE (73)
	03S	01E	35	SW SW		25.0	01 IRRIGATION
03S	01E	35	SE SW		35.0	01 IRRIGATION	OWYHEE (73)
03S	01E	35	NE SE	7	21.0	01 IRRIGATION	OWYHEE (73)
03S	01E	35	NW SE	8	27.0	01 IRRIGATION	OWYHEE (73)
03S	01E	35	SW SE		23.0	01 IRRIGATION	OWYHEE (73)
03S	01E	35	SE SE		32.0	01 IRRIGATION	OWYHEE (73)
03S	01E	36	NE SW	6	27.0	01 IRRIGATION	OWYHEE (73)
03S	01E	36	NW SW	5	25.0	01 IRRIGATION	OWYHEE (73)
03S	01E	36	SW SW		22.0	01 IRRIGATION	OWYHEE (73)
03S	01E	36	SE SW		25.0	01 IRRIGATION	OWYHEE (73)
03S	01E	36	NE SE	8	1.0	01 IRRIGATION	OWYHEE (73)
03S	01E	36	NW SE	7	19.0	01 IRRIGATION	OWYHEE (73)
03S	01E	36	SW SE		21.0	01 IRRIGATION	OWYHEE (73)

MICROFILMED
SEP 19 1996

Water right number - A02-02100A

Prefix Translation: ADJUDICATION CLAIM

Trn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres: 372.0

- - - Diversion Means - PUMPS, MAINLINE, LATERALS

- - - Non-Irrigation Use - NONE

- - - Other Rights for Same Use - 02-07086

GEN THIS CLAIM HAS EXPANDED ACREAGE AS FOLLOWS:

SECTION 36, NWSE ORIGINALLY FOR 19 ACRES, EXPANDED TO 28 ACRES.
TRANSFER APPROVED 10-21-93 WITH THE FOLLOWING REMARKS-*SEE NOTE
PRIOR TO DIVERSION OF WATER UNDER RIGHT NOS. 02-02100A AND
02-07086, FLOW MEASUREMENT PORTS OR OTHER DEVICES APPROVED BY THE
DEPARTMENT SHALL BE INSTALLED ON ALL POINTS OF DIVERSION.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES IN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
SEE ALSO THE TRANSFER APPROVAL CONDITIONS LISTED ON THE ATTACHED
PROOF REPORT AND DATA ENTERED ON THIS CLAIM.
*NOTE: TRANSFER APPROVAL DELETED THE EXPANDED ACRES LISTED ABOVE
AND THIS CLAIM HAS BEEN AMENDED ACCORDINGLY. AT THE TIME OF
VERIFICATION AN EXPANSION CLAIM MAY BE NEEDED FOR THESE 9 ACRES.

No Old Water Right Numbers Found

R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

- - - Decree Plaintiff - - - Decree Defendant - - - Decree Date - - -
00/00/0000

MICROFILMED
SEP 19 1996

[illegible]

MICROFILMED
SEP 19 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Regin Adjud

TRANSFER OF WATER RIGHT

TRANSFER NO. 4119
WATER RIGHT NO(S). 02-02100A/02-07086

This is to certify that: **ALFRED L HEYWOOD**
HC 79 BOX 2310
OREANA ID 83650

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 02-02100A :			
IRRIGATION	03/15 to 11/15	2.80 CFS	630.0 AF
Priority: 07/15/1952			
Right No. 02-07086 :			
IRRIGATION	03/15 to 11/15	4.64 CFS	1044.0 AF
Priority: 07/28/1971			

SOURCE

SNAKE RIVER

TRIBUTARY OF

COLUMBIA RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 7(NESE), Sec. 35, Township 03S, Range 01E
Lot 8(NWSE), Sec. 35, Township 03S, Range 01E
Lot 7(NWSE), Sec. 36, Township 03S, Range 01E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	01E	35	Lot 9(NESW) 33	NWSW 36	SWSW 25	
			SESW 35	Lot 7(NESE) 21	Lot 8(NWSE) 27	
			SWSE 23	SESE 32		232
		36	Lot 6(NESW) 27	Lot 5(NWSW) 25	SWSW 22	
			SESW 25	Lot 8(NESE) 1	Lot 7(NWSE) 19	
			SWSE 21			140
				Total number of acres irrigated:		372

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

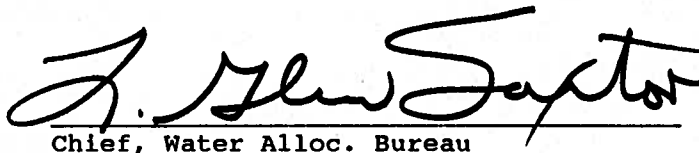
MICROFILMED
SEP 19 1996

TRANSFER NO. 4119
WATER RIGHT NO(S). 02-02100A/02-07086

CONDITIONS/REMARKS:

2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Prior to diversion of water under Right Nos. 02-02100A and 02-07086, flow measurement ports or other devices approved by the Department shall be installed on all points of diversion.
6. Right No. 02-02100A is limited to the irrigation of 140 acres in the place of use described above in a single irrigation season.
7. Right No. 02-07086 is limited to the irrigation of 232 acres in the place of use described above in a single irrigation season.

Dated this 21st day of October, 1993.


Chief, Water Alloc. Bureau

MICROFILMED

SEP 19 1996

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: A02-02100A
Date Received: 12/13/1988
Receipt No: W001623
Received By: EJA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALFRED L. HEYWOOD 208-834-2716
Address: HC BOX 2310
MURPHY, ID 83650

2. Date of Priority: JUL 15, 1952

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
03S	01E	36	NW	SE		7	OWYHEE

5. Description of diverting works:
PUMPS, MAINLINE, LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.800		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03S	01E	35	NE	SW	9	IRR	16.0
			SE	SW		IRR	8.0
			NE	SE	7	IRR	21.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03S	01E	35	NW		SE	8	IRR	15.0
			SW		SE		IRR	10.0
			SE		SE		IRR	9.0
							Section Acres	79.0
		36	NE		SW	6	IRR	21.0
			NW		SW	5	IRR	21.0
			NW		SE	7	IRR	28.0
							Section Acres	70.0
							Total Acres	149.0

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:
02-07086

14. Remarks:

THIS CLAIM HAS EXPANDED ACREAGE AS FOLLOWS:
SECTION 36, NWSE ORIGINALLY FOR 19 ACRES, EXPANDED TO 28 ACRES.

15. Basis of Claim: LICENSE

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

560
190
19000

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: A02-02100A
Date Received: 12/13/1988
Receipt No: W001623
Received By: ERR

RECEIVED

JAN 13 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: ALFRED L. HEYWOOD
Address: STAR RT. OREANA
MURPHY, ID

83650

2. Date of Priority: JUL 15, 1952

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
03S	01E	36	NW	SE		7	OWYHEE

5. Description of diverting works:
PUMPS, MAINLINE, LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.800		

7. Total Quantity Appropriated is:
2.800 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 of	Lot	Use	Acres
03S	01E	35	NE	SW	9	IRR	16.0
			SE	SW		IRR	8.0
			NE	SE	7	IRR	21.0
			NW	SE	8	IRR	15.0

*Fee charged for 13 acres
3 acres overlap w/ 02/01/08
Fee charged 8 acres
Fee charged 21 acres
Fee charged 15 acres*

A02-02100A

Page 1

Date: 12/13/88

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	01E	35	SW	SE		IRR	10.0 Fee chged 10 acres
			SE	SE		IRR	9.0 No Fee - overlap w/0107086
						Section Acres	79.0
		36	NE	SW	6	IRR	21.0 Fee chged 21 acres
			NW	SW	5	IRR	21.0 Fee chged 21 acres
			NW	SE	7	IRR	19.0 28 acres Presumption clause
						Section Acres	61.0
						Total Acres	140.0

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

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 5

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): X Alfred L. Heywood Date: X 5 JAN 1989
Thyllis L. Heywood Date: JAN. 5, 1989

State of Arizona)
~~Idaho~~)
County of Maricopa) SS.

+ Subscribed and sworn (or affirmed) before me this 5 day
of JAN 5 19 89

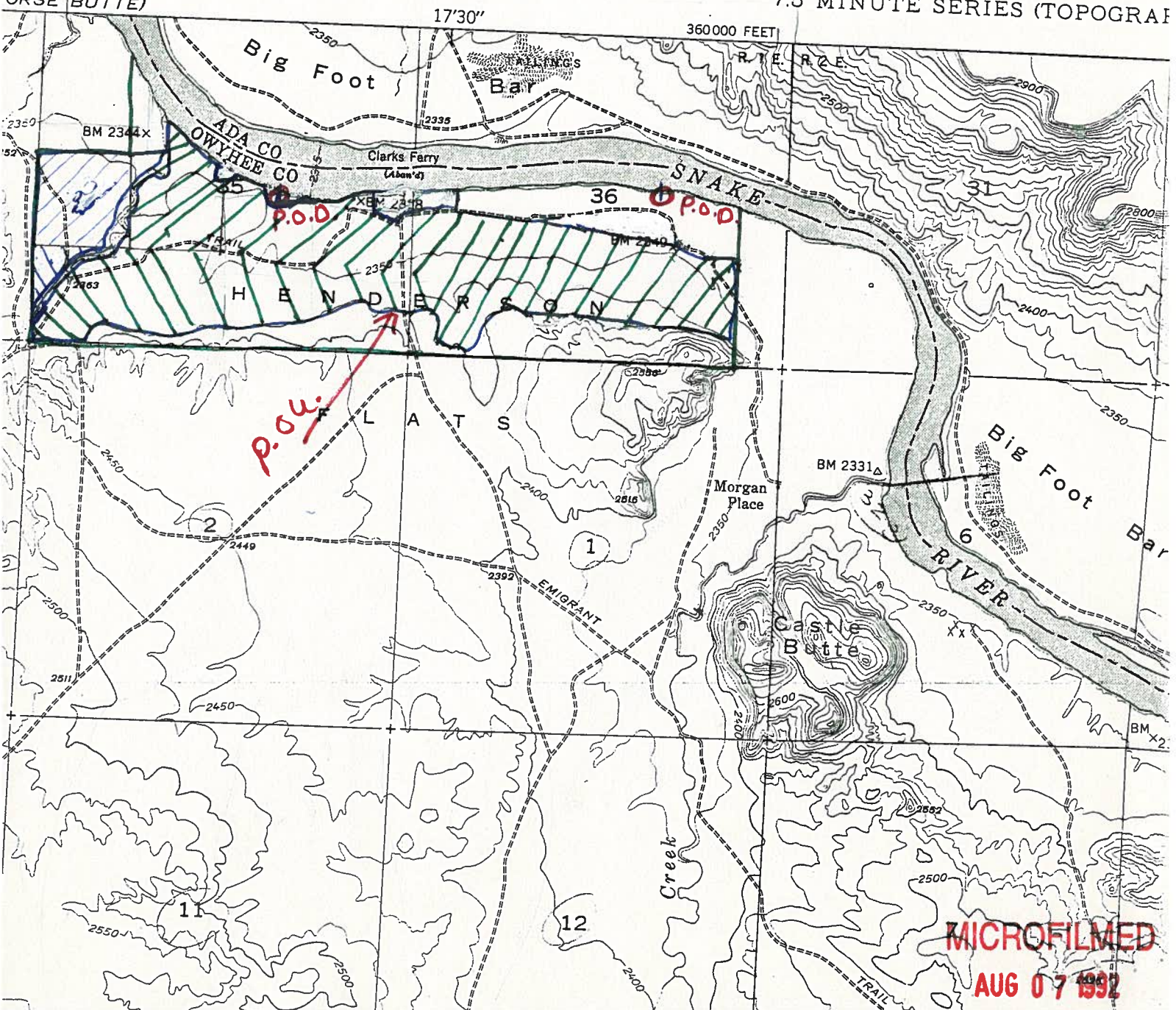
Nayer Heywood
Notary Public

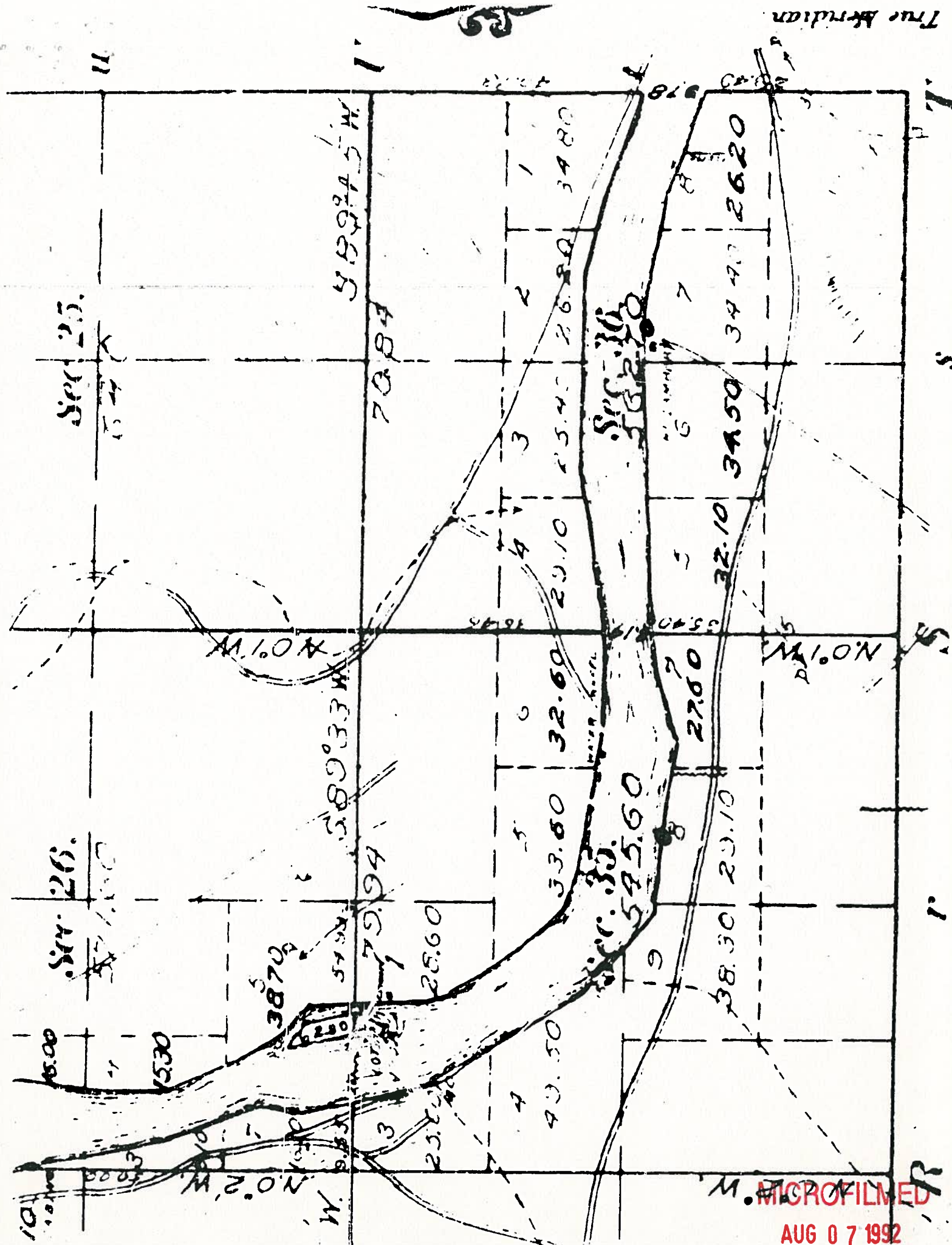
Seal

Residing at Mesa, Maricopa County, Arizona
My Commission Expires 12/1/91

CASTLE BUTTE QUADRAN
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

(ORSE BUTTE)





AUG 07 1992

Per Right Number - 02-02100A Adj. Flag Translation: Standard Water Right Number Old (D) Number - 22916
- - - - - Last Name - - - - - + - - - - - Address - - - - - +

C - CURRENT OWNER ***
NICK S.
1 -
2 -
3 -
City- OREANA State- ID Zip-
Phone -

O - ORIGINAL OWNER ***
JAMES W.
1 -
2 -
3 -
City- State- Zip-
Phone -

Priority Date - - - + - - - Region - - - + - - - Stage - - - + - - - Status - - - +
07/15/1952 L - LICENSE

Source - - - - - +
SNAKE RIVER

Point of Diversion - - - - - Tributary - - - - -
COLUMBIA RIVER

Stream Index (Blank if no Index Code)

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 10/31 2.800

Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
2.800

Twn Rng Sec Tract Lot Acres Place of Use Code Description County

03S 01E 35 NE SW 9 16.0 01 IRRIGATION (73) OWYHEE

03S 01E 35 SE SW 7 8.0 01 IRRIGATION (73) OWYHEE

03S 01E 35 NE SE 8 15.0 01 IRRIGATION (73) OWYHEE

03S 01E 35 NW SE 10.0 01 IRRIGATION (73) OWYHEE

03S 01E 35 SW SE 9.0 01 IRRIGATION (73) OWYHEE

03S 01E 36 NE SW 6 21.0 01 IRRIGATION (73) OWYHEE

03S 01E 36 NW SW 5 21.0 01 IRRIGATION (73) OWYHEE

03S 01E 36 NW SE 7 19.0 01 IRRIGATION (73) OWYHEE

Total Acres: 140.0

- Diversion Means -
- Non-Irrigation Use -

MICROFILMED
AUG 07 1992

MICROFILMET
AUG 07 1992

SD-62
INQUIRY

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 10/18/93
Time: 11:47:52

Water Right Number: A02-02100A

FIRST PAGE

13. Remarks: THIS CLAIM HAS EXPANDED ACREAGE AS FOLLOWS:

SECTION 36, NWSE ORIGINALLY FOR 19 ACRES, EXPANDED TO 28 ACRES.

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

DO NOT FILM

10/18/93-

When transfer of this right is completed; route for letter to claimant advising him that transfer deleted the 9 ac. of expansion and he should file a B/U claim or application to cover these acres. (per Jim Johnson)

KW

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner
Dam to Oregon ~~ADJUTANT GENERAL~~
Border.

NOTICE OF CLAIM
TO A
WATER RIGHT

<u>02-2100A</u> I.D. No.	<u>19441</u> Map No.
<u>\$ 10.00</u> Fee Paid	<u>19441</u> Receipt No.

Notice is hereby given that Alfred L. Heywood
(Name of Claimant)
Star Rt. Oreana, Murphy, Id. 83650 Telephone No. 834-2716
(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) July 15, 1952

(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 2.8 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) 2.8 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 7; NW 1/4 SE 1/4
Sec. 36, Twp. 3 S, Rge. 1 E, B.M., Owyhee 13 County
Additional Points: SCI: 2720(1) 467.7

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. 2-125 H.P. pumps, steel & aluminum mainline, 20-1/4 mile laterals

(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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	1E	35									16			8	21	15	10	9	79
3S	1E	36									21	21				19			61
											46	45				47			

Total no. of acres 140

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 This is water combined with it 02-7086 shall provide no more than 102 cfs per acre

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

KEYPUNCHED

1-15-82 ajo ☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2100 A; old #22916

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.

June 18, 1981
(Date)

State of Idaho ss. Organization

County of Ada Seal

On this 18 day of June, in the year 1981 before me

a notary public, personally appeared Alfred & Phyllis Heywood
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 AKN 10/14/61 OK into 10/14/61

Individual Alfred L. Heywood
(Signature of Claimant)

Phyllis L. Heywood
(Signature of Spouse)

Organization

(Signature of Authorized Agent)

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 DETERMINATION 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

<u>02-2100A</u>	I.D. No.	Map No.
\$ <u>10.00</u>	Fee Paid	<u>19441</u> Receipt No.

Notice is hereby given that Alfred L. Heywood
(Name of Claimant)
Star Rt. Oreana, Murphy, Id. 83650 Telephone No. 834-2716
(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) July 15, 1952

(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 2.8 CFS Use Irrigation Period of Use From 5-15 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) _____ TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 7; NW 1/4 SE
Sec. 36, Twp. 3 S, Rge. 1 E, B.M., 2wyhee 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. 2-125" P. pumps, steel & aluminum mainline, 20-1/4 mile laterals

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>35</u>	<u>1E</u>	<u>35</u>									<u>16</u>			<u>8</u>	<u>21</u>	<u>15</u>	<u>10</u>	<u>9</u>	<u>79</u>
<u>36</u>	<u>1E</u>	<u>36</u>									<u>21</u>	<u>21</u>				<u>19</u>			<u>61</u>

Total no. of acres 140

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. 02-2100 A; 01d 422916

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.

June 18, 1981 (Date)
Alfred L. Heywood (Signature of Claimant)
Phyllis L. Heywood (Signature of Spouse)

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

On this 18 day of June, in the year 1981 before me
a notary public, personally appeared Alfred & Phyllis Heywood
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

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by RS

Date 12/02/81

Right No. 02-2100A

Claimant HEYWOOD

Recommendation differs from claim:
(Document any differences)

☐ Yes

☒ No

☐ Disallow

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. PHOTOCOPY INCLUDED

☐ 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 ☒ Beneficial Use Report in License (S.O.) File 02-7086

Measurement 832 cfs. Amount recommended 2.8 cfs.

Type of measuring device: COLLINS MANDOLETER Meter No. _____

Condition _____ Date 6/02/81 Time _____

BY SHERL CHAPMAN

Adjudication Photo(s) Used: Name or No. CASTLE BUTTE

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks _____

State of Idaho

License and Certificate of Water Right

Water License No. 22916

Amount 5.42 cfs.

Water District No.

Priority July 15, 1952

THIS IS TO CERTIFY that

JAMES W. NETTLETON

of Oreana, Idaho

made application for a permit to appropriate the

public water of the State of Idaho, dated July 15, 1952; that Permit No. 22916 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 8.0 cfs, was issued thereunder on December 9, 1957, showing that said works were completed on the 25th day of June, 1957; and that on the 13th day of July, 1962,

JAMES W. NETTLETON

of Oreana, Idaho,
State Reclamation Engineer

made proof to the satisfaction of the
of Idaho, of the right to use the waters of Snake

River, a tributary of Columbia River

for the purpose of irrigation & domestic

use, under Use Permit No. 22916

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

12 of Licenses at page 7589, on the 3th day of June, 1963;

The right hereby confirmed dates from

July 15

1952;

The Point of Diversion is located

Lot 7

in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T3 S., R. 1 E., B. M. Owyhee County

That the amount of water to which said 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 5.42 cubic feet per second.

Description and location of use:

Trp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 S.	1 E.	35	NE SE (L. 7)	34.40	21
			NW SE (L. 8)	26.60	15
			SW SE	40.00	10
			SE SE	40.00	9
			NE SW (L. 9)	38.30	16
		36	SE SW	40.00	8
			NE SE (L. 8)	14.50	16
			NW SE (L. 7)		19
			SE SE	20.00	13
			NE SW (L. 6)	34.50	21
3 S.	2 E.	31	NW SW (L. 5)	32.10	21
			NW SW (L. 4)	13.00	24
4 S.	1 E.	1	SW SW (L. 5)	53.00	48
4 S.	2 E.	6	NE NE (L. 1)	20.00	2
			NW NW (L. 3)	48.0	28

Total number of acres to be irrigated 271

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.

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

5th day of

June

1963.

RALPH H. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

September 10, 1981

Sherl L. Chapman
921 So. Orchard, Suite N
Boise, ID 83705

✓ Re: 02-2100A

Dear Sherl,

Your letter of August 28th was forwarded to me for research and a response. Although my conclusions from a review of the file are different than yours, the matter will be straightened out through the process of the current Snake River Adjudication.

When Nick Nettleton's application for a transfer was approved, it was for only his part of the original licensed water right. His part includes 2.62 cfs diverted in Lot 8 (NESE), Section 36, Twp. 3S, Rge. 1E, for 131 acres. That left the remainder of the license intact, 2.8 cfs diverted in Lot 7 (SWNE), Section 36, Twp. 3S, Rge. 1E for 140 acres. My review of the 1905 survey plat shows Lot 7 would be in the short forty known as the NWSE and Lot 8 would be in the short forty otherwise known as NESE.

Your client and Nick Nettleton have both filed their Notice of Claim to water Right for the Snake River Adjudication for their respective parts of the water license. Both gentlemen have filed their claims correcting the points of diversion, and my review of those descriptions would agree with their claims.

Your client's point of diversion as described in the Department's records remains in Lot 7 of Section 36 and any inconsistency as to defining that point within the section by a short forty can be taken care of in the adjudication when the Department makes its proposed finding to the court.

September 10, 1981
Sherl L. Chapman
Page 2

If you have further questions or any of this information is unclear, please contact me again.

Regards,

DONALD V. SHAFF
Adjudication Section Supervisor

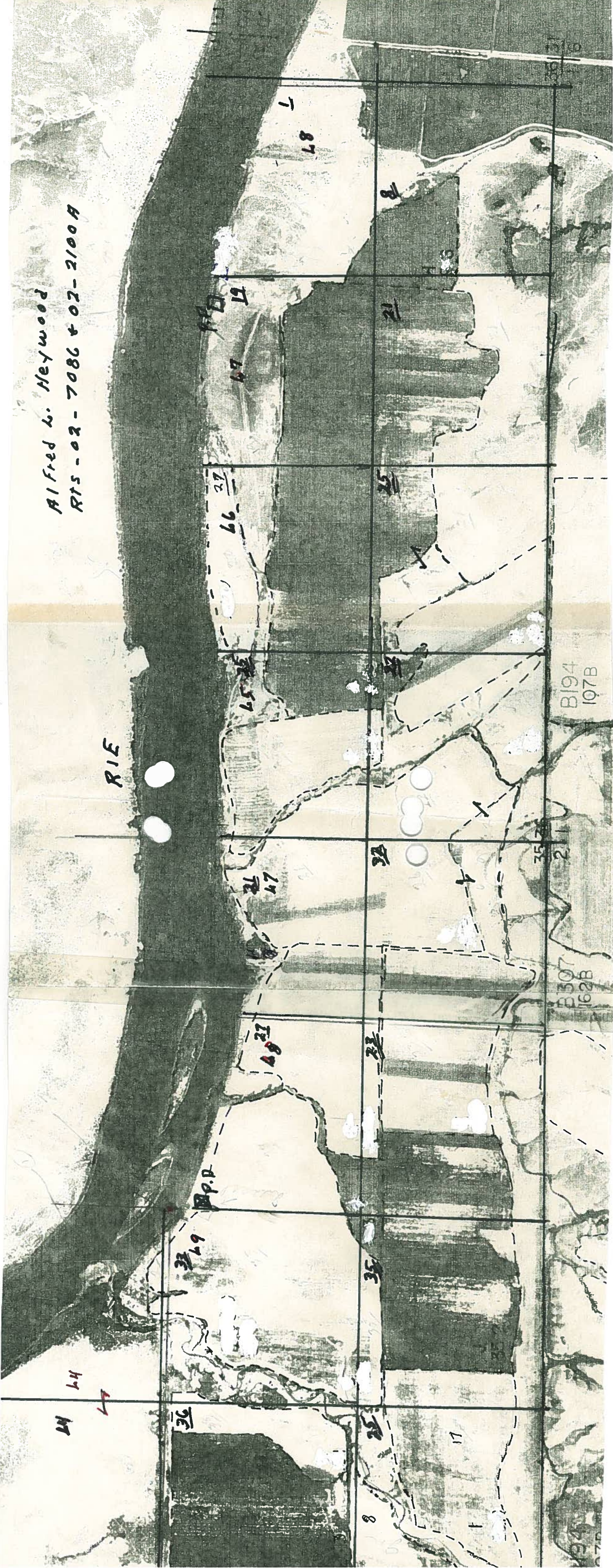
DVS:aje

02-7086

[illegible]

A1 Fred L. Heywood
R15-02-7086 + 02-2100A

R1E



Sherl L. Chapman

CONSULTANT

921 S. ORCHARD / SUITE N / BOISE, IDAHO 83705 / PHONE 344-6690

RECEIVED

AUG 31 1981

August 28, 1981

Department of Water Resources
Western Regional Office

Mr. Dave Shaw
Idaho Department of Water Resources
92 S. Cole Road
Boise, Idaho 83709

Dear Dave:

02-2100
A CHAMBER
02-7080
I have been reviewing the water rights position for Mr. Al Heywood of Oreana for proof of beneficial use on a recently completed application for permit. During the review it has come to my attention that an older licensed water right may have been altered inappropriately. The license to which I refer is water license #22916 in the name of James W. Nettleton. The license is for 5.42 cfs for the irrigation of 271 acres of ground. Several years ago Mr. Nettleton was killed and the land passed on to his son, Tim Nettleton. During the mid 70's Tim sold approximately half of the ground to Mr. Alfred Heywood and the other half to Mr. Nick Nettleton. Subsequent to the sale, Mr. Nick Nettleton filed an application for transfer of water right #1937. In the transfer he changed the point of diversion from Lot 7, Section 36, T3S, R1E to the NE/4 SE/4, Section 36, T3S, R1E. The effect was to move the point of diversion slightly east and to the north side of the Snake River. It is my understanding based upon review of the transfer, that this is now the only point of diversion listed in the Department files for the license.

The concern that Mr. Heywood and I have is that Mr. Nettleton did not have authority to eliminate the original point of diversion in Lot 7, Section 36. This point of diversion is still being used by Mr. Heywood for the 140 acres of land still irrigated under the original license which was not transferred by Mr. Nettleton. Mr. Nettleton did not own the land at the point of diversion nor the pumping facilities and therefore cannot be considered the owner of those water diversion facilities. I would appreciate, if possible, a letter from you indicating that the original point of diversion in Lot 7 is still intact and is a part of the license retained by Mr. Heywood. If this cannot be accomplished without some additional paperwork through the Department, please let me know and we will take whatever measures necessary to assure that the point of diversion as described in the original license is intact.

SPECIALIST IN

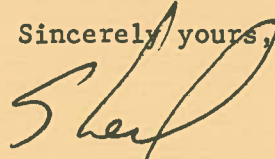
GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

Mr. Dave Shaw
August 28, 1981
Page 2

Additionally, in reading the original license you will find that the point of diversion is noted as Lot 7 and the SE/4 NE/4, Section 36. It is my opinion after reviewing the plat of the area that the notation SW/4 NE/4, Section 36 is incorrect and that the point of diversion is actually Lot 7. I would appreciate any modification or notation you might make in the file to show the original point of diversion correctly as Lot 7.

I appreciate your consideration of this matter and please let me know if any further action is necessary on our part.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'Sherl', with a large, stylized loop at the end.

Sherl L. Chapman
Consultant

SLC:kje
cc:Mr. Alfred Heywood

NWSE

2100

P/D - Lic. Lot 7 (SWNE) S 36, T 3S, R 1E
5.42 CFS

Δ 2.62 NESE 36 3s 1E

2100 A Nick

P/D Lot 7 SWNE 3S ~~36~~ 1E 36
TRANS # 1937 2.8

2100 B Nick

P/D NESE 36 3S 1E
2.62

1905
FROM PLAT

Lot 7 NWSE

Lot 8 NESE

WATER RIGHT NUMBER 02-2100A

OWNER LAST NAME - HEYWOOD
ADDRESS LINE 1 - STAR RT. OREANA

FIRST NAME - ALFRED L.
ADDRESS LINE 2 -
CITY - MURPHY
STATE - ID ZIP CODE - 83650

SOURCE - SNAKE RIVER

TRIBUTARY OF - COLUMBIA RIVER

STATUS -
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -
PRIORITY - 07-15-1952 COUNTY - OWYHEE TOTAL DIV. RATE - 2.8000 -CFS

DIVERSION POINT - NWSE 36 03S 01E LOT 07 REDIV -
FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE - IRRIGATION
PLACE OF USE - TWN 03S RNG 01E SEC 36 TRACT NESW LOT 06 AC 21 TRACT NWSE LOT 07 AC 19
TRACT NESW LOT 05 AC 16 TRACT SESE LOT 08 AC 08
TRACT NESE LOT 07 AC 21 TRACT NWSE LOT 08 AC 15
TRACT SWSE LOT AC 10 TRACT SESE LOT AC 09
TOTAL ACRES 140

USE - IRRIGATION

PLACE OF USE - TWN 03S RNG 01E SEC 35

DATE -
TRACT SWSE LOT AC 10 TRACT SESE LOT AC 09
TOTAL ACRES 140

DEGREE NAME -
REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE -

DIVERSION MEANS -

PROTESTED -

HEARING -

OLD NO. -

*Verified by
5-09-85*