

RECEIVED

OCT 19 2006

DEPARTMENT OF
WATER RESOURCES

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 37-797
Date Received: 8/26/1988
Receipt No: S001780
Received By:

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

1. Name of Claimant(s)

AWALT FAMILY REVOCABLE TRUST Phone:
PO BOX 392
SAN MIGUEL CA 93451-0392

2. Date of Priority: 06/30/1880

3. Source: BIRCH CREEK , UNNAMED STREAM Trib. to: SNAKE RIVER , SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	13E	35	NW SW NW	GOODING	
06S	13E	35	NW SW NW	GOODING	

5. Description of diverting works:

50 HP PUMP IN STREAM, PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.1	

7. Total Quantity Appropriated is:
2.1 C.F.S. and/or 700 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
OCT 18 2006

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06S	13E	34	NE	NE		IRRIGATION	15
			SE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	35
						Section Acres	90
06S	13E	35	NW	NW		IRRIGATION	5
			SW	NW		IRRIGATION	35
			NW	SW		IRRIGATION	29
			SE	NW		IRRIGATION	3
			NE	SW		IRRIGATION	7
			SE	SW		IRRIGATION	6
						Section Acres	85
						Total Acres	175

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

ALTHOUGH THE RIGHT WAS DECREED FROM BIRCH CREEK, THE DIVERSION HAS BEEN ON THE UNNAMED STREAM SINCE THE EARLY 1970'S. THE ORIGINAL GRAVITY SYSTEM WAS REPLACED BY A PUMP & SPRINKLERS THEN.

ADDITIONAL COVERED BY THE SPRINKLERS IS CLAIMED UNDER SEC. 42- 1416 OF THE IDAHO CODE.

15. Basis of Claim: Decreed

SCANNED
OCT 10 2006

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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, 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
	37-797	-			
	7116	-			
	12868	-			
37-11134	HA/HA	-			

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

OCT 13 2006

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

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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

OR

If your water right(s) and/or adjudication claim(s) are 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)

Norval Rex Awalt & Christy Lou Awalt
PO Box 392, San Miguel, CA 93451-0392

4. New Owner/Claimant(s)

Awalt Family Revocable Trust

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

New Mailing Address

Same as above

City, State and ZIP Code

New Telephone Number

() _____

5. Date you acquired the property

5-26-2006

Note: Norval Awalt deceased

SCANNED
OCT 16 2006

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

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

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

7. Signature of New Owner(s) or Claimant(s) *Christy Lee Quatt*
(include title if applicable)

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

For Office Use Only

Received by <u><i>JS</i></u>	Date <u>10-13-06</u>	Fee <u>\$25</u>
Received by <u><i>JS</i></u>	Date <u>10-13-06</u>	Receipt No. <u>5028969</u>
Processed by _____	AJ Date _____	WR _____ Date _____

SCA...
06/13/06

6060138

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

J. K. George, Esq.
GEORGE & CYR, LLP
2238 Bayview Heights Drive, Suite J
Post Office Box 6129
Los Osos, CA 93412

MAIL TAX STATEMENTS TO:

Norval Rex Awalt &
Christy Lou Awalt, Trustees
Post Office Box 392
San Miguel, CA 93451-0392

QUITCLAIM DEED

FOR VALUE RECEIVED, NORVAL REX AWALT AND CHRISTY LOU AWALT, husband and wife, ("Grantors"), do hereby quitclaim, transfer and convey to NORVAL REX AWALT AND CHRISTY LOU AWALT, in their capacity as Trustees of the AWALT FAMILY REVOCABLE TRUST u/d/t dated February 18, 2005 ("Grantee") whose current address is Post Office Box 392, San Miguel, CA 93451-0392, all of Grantors' right, title and interest in and to the real property situate in Gooding County, Idaho, subject to all easements, liens, and encumbrances of record, more particularly described on Exhibit A attached and incorporated b this reference.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns.

DATED effective the 26th day of May, 2006.

Instrument # 216587

GOODING, GOODING, IDAHO

2006-06-02

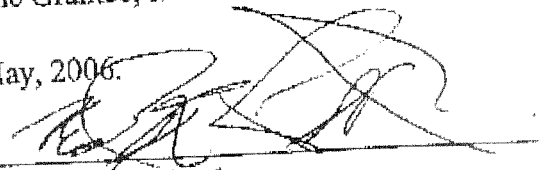
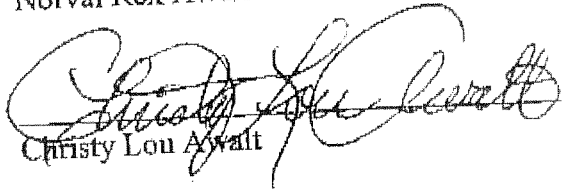
03:17:51 No. of Pages: 4

Recorded for: GOODING TITLE

DENISE M. GILL

Fee: 12.00

Ex-Officio Recorder Deputy


Norval Rex Awalt
Christy Lou Awalt

6060138

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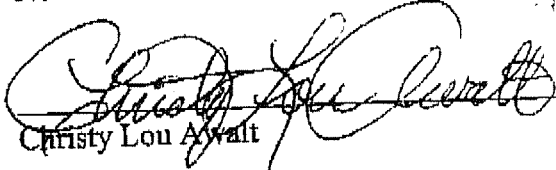
2006-06-02 03:17:51 No. of Pages: 4

Recorded for: GOODING TITLE

DENISE M. GILL Fee: 12.00

Ex-Officio Recorder Deputy


Norval Rex Awalt


Christy Lou Awalt

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
 COUNTY OF SAN LUIS OBISPO)

On this ___ day of May, 2006, before me, the undersigned, a notary public in and for said County and State, personally appeared NORVAL REX AWALT and CHRISTY LOU AWALT, husband and wife, personally known to me—OR—proved to me on the basis of satisfactory evidence to be the person whose names are subscribed to the within instrument and acknowledge to me that they executed the same.

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 California
 Residing at: _____
 My commission expires: _____

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
 COUNTY OF SAN LUIS OBISPO)

On May 26, 2006, before me, S. Josephson, Notary Public, personally appeared Norval Rex Awalt and Christy Lou Awalt, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

S. Josephson
 Notary Public

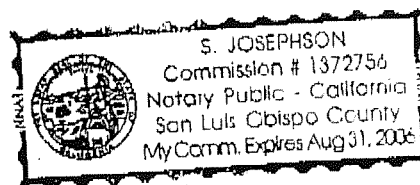


EXHIBIT A

Parcels of land located in Sections 34 and 35 of Township 6 South, Range 13 East, Boise Meridian, Gooding County, Idaho and being more particularly described as follows:

PARCEL NO. 1

A parcel of land located in the E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 34, Township 6 South, Range 13 East, Boise Meridian, Gooding County, Idaho and being more particularly described as follows:

Commencing at the Northeast Section Corner of said Section 34 from which the East One Quarter (E $\frac{1}{4}$) corner of said Section 34 bears South 00°30'38" West-2633.78 feet, Thence South 00°30'38" West along the East boundary of said Section 34 for a distance of 625.60 feet to the TRUE POINT OF BEGINNING;

Thence South 72°52'09" West for a distance of 1376.00 feet to a point on the West boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section, said point being located North 00°30'27" East-276.00 feet from the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section (record Southwesterly to a point 276.00 feet North of the Southwest corner NE $\frac{1}{4}$ NE $\frac{1}{4}$);

Thence South 00°30'27" West along the West boundary of the E $\frac{1}{2}$ E $\frac{1}{2}$ of said Section 34 for a distance of 2309.12 feet to a point that is located North 00°30'27" East-99.00 feet from the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 34 (record-South along West line E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, 2818.00 feet, more or less, to a point 6 rods or (99 feet) North of the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$);

Thence South 89°29'31" East parallel with the South boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1311.14 feet to a point on the East boundary of said Section 34 (record-East parallel with the South boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ -1320.0 feet to the East line of Section 34);

Thence North 00°30'38" East along the East boundary of said Section 34 for a distance of 3226.07 feet to the TRUE POINT OF BEGINNING (record-North along said East line of Section 34-3235.4 feet, more or less, to The Point of Beginning).

EXCEPT:

The tracts conveyed to the State of Idaho for Highway purposes as set forth in the following instruments:

1. Deed dated August 9, 1955, recorded August 31, 1955 in Book 46 Deeds, Page 286.
2. Deed dated August 9, 1955, recorded October 5, 1955 in Book 48 Deeds, Page 304.
3. Deed dated August 10, 1955, recorded October 5, 1955 in Book 46 Deeds, Page 306.
4. Second Judgment and Decree of Condemnation dated March 20, 1964, recorded March 20, 1964 as microfilmed instrument No. 10908, records of Gooding County, Idaho.

AND

PARCEL NO. 2

A parcel of land located in Section 35, Township 6 South, Range 13 East, Boise Meridian, Gooding County, Idaho and being more particularly described as follows:

Commencing at the Northwest corner of said Section 35 from which the West One Quarter (W $\frac{1}{4}$) corner of said Section 35 bears South 00°30'38" West 2633.78 feet;
Thence South 00°30'38" West along the West boundary of said Section 35 for a distance of 625.60 feet to the TRUE POINT OF BEGINNING;

Thence North 76°49'34" East for a distance of 207.30 feet to a point 577.00 feet South of the North boundary of the NW¼ of said Section 35 (record Northeasterly 207.3 feet to a point 577 feet South of the North line of said Section 35);
Thence South 86°18'27" East for a distance of 43.30 feet;
Thence South 3°39'38" West for a distance of 74.12 feet;
Thence South 02°21'17" West for a distance of 726.27 feet;
Thence North 89°31'12" East for a distance of 112.54 feet;
Thence North 65°29'51" East for a distance of 32.88 feet;
Thence North 79°06'12" East for a distance of 980.86 feet to a point on the East boundary of the NW¼NW¼ of said Section 35;
Thence South 00°39'08" West along the East boundary of the NW¼NW¼ of said Section 35 for a distance of 144.49 feet to the Southeast corner of the NW¼NW¼ of said Section;
Thence South 89°38'08" East along the North boundary of the SE¼NW¼ of said Section 35 for a distance of 435.00 feet (record East along the North boundary of the SE¼NW¼ 435.00 feet);
Thence South 02°03'49" West for a distance of 1609.25 feet to a found monument (Malad Gorge State Park record South 02°20'00" West 1610.82 feet);
Thence South 02°17'12" West for a distance of 1023.74 feet (Malad Gorge State Park record South 02°20'00" West 1023.74 feet);
Thence North 88°53'51" East for a distance of 209.36 feet to a found monument (Malad Gorge State Park record North 89°05'00" East 209.36 feet);
Thence North 89°03'22" East for a distance of 590.64 feet (Malad Gorge State Park record North 89°05'00" East 590.64 feet);
Thence South 39°47'38" East for a distance of 330.00 feet to a found monument (Malad Gorge State Park record South 39°55'00" East 330.00 feet);
Thence South 39°42'01" West for a distance of 878.88 feet to a found monument (Malad Gorge State Park record South 39°45'00" West 880.00 feet);
Thence South 71°17'35" West for a distance of 875.68 feet to a point on the West boundary of the SE¼SW¼ of said Section 35, said point being North 00°39'05" East 124.00 feet from the Southwest corner of the SE¼SW¼ of said Section 35 (record South 70°30'00" West 880.00 feet to a point on the West boundary of the SE¼SW¼ and 124.00 feet North of the Southwest corner of the SE¼SW¼);
Thence North 00°39'05" East along the West boundary of the SE¼SW¼ of said Section 35 for a distance of 1195.29 feet to the Northwest corner of the SE¼SW¼ of said section 35 (record North along the West line of the SE¼SW¼ 1196.00 feet to the Northwest corner of the SE¼SW¼);
Thence North 89°33'08" West along the South boundary of the NW¼SW¼ of said Section 35 for a distance of 1314.30 feet to the Southwest corner of the NW¼SW¼ of said Section 35 (record West along the South boundary of the NW¼SW¼ to the Southwest corner of the NW¼SW¼);
Thence North 00°30'38" East along the West boundary of said Section 35 for a distance of 3325.07 feet to the TRUE POINT OF BEGINNING (record North along the West boundary of said Section 35 3334.4 feet).

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF SAN LUIS OBISPO

SAN LUIS OBISPO, CALIFORNIA

CERTIFICATE OF DEATH

3200640001073

STATE FILE NUMBER		STATE OF CALIFORNIA USE BLACK INK ONLY (NO CORRECTIONS, WHITEOUTS OR ALTERATIONS) VS-1 (REV. 10/01)		LOCAL REGISTRATION NUMBER	
1. NAME OF DECEDENT — FIRST (Given)		2. MIDDLE		3. LAST (Family)	
NORVAL		REX		AWALT	
AKA, ALSO KNOWN AS — include full AKA (FIRST, MIDDLE, LAST)					
4. DATE OF BIRTH mm/dd/yyyy		5. AGE Yrs		6. SEX	
11/28/1941		64		MALE	
9. BIRTH STATE/FOREIGN COUNTRY		10. SOCIAL SECURITY NUMBER		11. EVER IN U.S. ARMED FORCES?	
CALIFORNIA		[REDACTED]		☐ YES ☒ NO ☐ UNK	
12. MARITAL STATUS (at time of death)		13. DATE OF DEATH mm/dd/yyyy		14. HOUR 24 hours	
MARRIED		07/12/2006		0330	
15. EDUCATION — Highest Level Degree (Use inch-pound to back)		16. WAS DECEDENT HISPANIC/LATINO/SPANISH? (If yes, see worksheet on back)		17. DECEDENT'S RACE — Up to 3 races may be listed (see worksheet on back)	
SOME COLLEGE		☐ YES ☒ NO		CAUCASIAN	
18. USUAL OCCUPATION — Type of work for most of life. DO NOT USE RETIRED		19. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.)		20. YEARS IN OCCUPATION	
OWNER		AQUA ENGINEERING		50	
21. DECEDENT'S RESIDENCE (Street and number or location)					
W. 10TH. STREET-CROSS STREET, CEMETERY ROAD					
22. CITY		23. COUNTY/PROVINCE		24. ZIP CODE	
SAN MIGUEL		SAN LUIS OBISPO		93451	
25. YEARS IN COUNTY		26. STATE/FOREIGN COUNTRY			
64		CALIFORNIA			
27. INFORMANT'S NAME, RELATIONSHIP					
CHRISTY AWALT- WIFE					
28. INFORMANT'S MAILING ADDRESS (Street and number or rural route number, city or town, state, ZIP)					
P.O. BOX 392, SAN MIGUEL, CA 93451					
29. NAME OF SURVIVING SPOUSE — FIRST		30. MIDDLE		31. LAST (Married Name)	
CHRISTY LOU		-		MOORE	
32. NAME OF FATHER — FIRST		33. MIDDLE		34. LAST	
NORRIS		REX		AWALT	
35. NAME OF MOTHER — FIRST		36. MIDDLE		37. LAST (Married)	
THELMA		AUDREY		TURNBOW	
38. BIRTH STATE		39. BIRTH STATE		40. BIRTH STATE	
CO		CA		CA	
41. DISPOSITION DATE mm/dd/yyyy					
07/17/2006					
42. PLACE OF FINAL DISPOSITION					
SAN MIGUEL CEMETERY, SAN MIGUEL CA 93451					
43. TYPE OF DISPOSITION(S)					
BURIAL					
44. NAME OF FUNERAL ESTABLISHMENT					
KUEHL-NICOLAY FUNERAL HOME					
45. LICENSE NUMBER					
FD-68					
46. SIGNATURE OF LICENSE REGISTRAR					
[Signature]					
47. DATE mm/dd/yyyy					
07/14/2006					
101. PLACE OF DEATH					
RESIDENCE					
102. COUNTY		103. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number or location)		104. CITY	
SAN LUIS OBISPO		W. 10TH. STREET-CROSS STREET IS CEMETERY RD.		SAN MIGUEL	
105. CAUSE OF DEATH					
Enter the chain of events — diseases, injuries, or complications — that directly caused death. DO NOT write terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE.					
IMMEDIATE CAUSE (A) (Final disease or condition resulting in death)					
METASTATIC LUNG CANCER					
Underlying Cause (B) (Disease or injury that initiated the events resulting in death) LAST					
BONE MARROW FAILURE DUE TO MYELODYSPLASIA					
112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107					
BIOPSY 01/30/2004					
113. WAS OPERATION PERFORMED FOR ANY CONDITION BY ITEM 107 OR 112? (If yes, list type of operation and date.)					
YES					
114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED.					
115. SIGNATURE AND TITLE OF CERTIFIER		116. LICENSE NUMBER		117. DATE mm/dd/yyyy	
[Signature]		A41572		07/13/2006	
118. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE		119. INJURED AT WORK?			
DR. SANJAY GANPULE MD, 1310 LAS TABLAS RD. TEMPLETON, CA 93465		☐ YES ☒ NO ☐ UNK			
120. INJURY DATE mm/dd/yyyy		121. HOUR 24 hours		122. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER	
123. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.)					
124. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury)					
125. LOCATION OF INJURY (Street and number, or location, and city, and ZIP)					
126. SIGNATURE OF CORONER/DEPUTY CORONER					
127. DATE mm/dd/yyyy					
128. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER					

STATE REGISTRAR

FAX AUTH. #

CENSUS TRACT

CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA
COUNTY OF LUIS OBISPOSS
DATE ISSUED: JUL 25 2006

000220453

This is a true and exact reproduction of the document officially registered and placed on file in the office of the SAN LUIS OBISPO COUNTY PUBLIC HEALTH DEPARTMENT.

G.W. THOMAS, MD, HEALTH OFFICER

This copy not valid unless prepared on engraved border displaying seal and signature of County Registrar.





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

October 18, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

AWALT FAMILY REVOCABLE TRUST
PO BOX 392
SNA MIGUEL CA 93451-0392

Re: SRBA Claim #37-797, #37-7116, #37-12868

Dear ClaimantS,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.

SCA...
CL... 10/18/06

MAR 29 2005

DEPARTMENT OF
WATER RESOURCES

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
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CIVIL CASE NUMBER: 39576

Ident. Number 37-797
Date Received: 8/26/1988
Receipt No: S001780
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SIMMS CREDIT SHELTER TRUST Phone: (208)837-4537
BARBARA SIMMS TRUSTEE
17816 HWY 30
BLISS ID 83314

CLIFFORD J SIMMS JR FAMILY TRUST Phone: (208)837-4537
BARBARA SIMMS TRUSTEE
17816 HWY 30
BLISS ID 83314

2. Date of Priority: 06/30/1880

3. Source: BIRCH CREEK Trib. to: SNAKE RIVER
UNNAMED STREAM SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
06S	13E	35	NW	SW	NW	GOODING	
06S	13E	35	NW	SW	NW	GOODING	

5. Description of diverting works:

50 HP PUMP IN STREAM, PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.1	

7. Total Quantity Appropriated is:
2.1 C.F.S. and/or 700 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06S	13E	34	NE	NE		IRRIGATION	15
			SE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	35
Section Acres							90
06S	13E	35	NW	NW		IRRIGATION	5
			SW	NW		IRRIGATION	35
			NW	SW		IRRIGATION	29
			SE	NW		IRRIGATION	3
			NE	SW		IRRIGATION	7
			SE	SW		IRRIGATION	6
Section Acres							85
Total Acres							175

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

ALTHOUGH THE RIGHT WAS DECREED FROM BIRCH CREEK, THE DIVERSION HAS BEEN ON THE UNNAMED STREAM SINCE THE EARLY 1970'S. THE ORIGINAL GRAVITY SYSTEM WAS REPLACED BY A PUMP & SPRINKLERS THEN.

ADDITIONAL COVERED BY THE SPRINKLERS IS CLAIMED UNDER SEC. 42- 1416 OF THE IDAHO CODE.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 28, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CLIFFORD J SIMMS JR FAMILY TRUST
SIMMS CREDIT SHELTER TRUST
BARBARA SIMMS TUSTEE
17816 HWY 30
BLISS ID 83314

Re: SRBA Claim(s) 37-797, 37-1175A, 37-7116, 37-12868

Dear Mrs. Simms:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

MAR 18 2005

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

Department of Water Resources
 Southern Region

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
~~37-11134~~	37-797	—			
	37-1175A	—			
	37-7116	—			
	37-12868	—			
37-11134		—			

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**.
- 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) Clifford J. Simms (deceased)
17816 Hwy 30, Bliss, ID 83314
4. New Owner/Claimant(s) Barbara J. Simms, trustee
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address ~~Clifford J. Simms~~ Clifford J. Simms Family Trust
n/c Simms Credit Shelter Trust
- City, State and ZIP Code n/c
- New Telephone Number n/c
5. Date you acquired the property T. Trusts
Jan Trust 6/21/94 11/13/91
Credit Shelter 6/21/94

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

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

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

7. Signature of New Owner(s) or Claimant(s) Barbara J Simms, Trustee
(include title if applicable) C.G. Simms Family Trust
Simms Credit Shelter Trust

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

For Office Use Only

Received by [Signature] Date 3/13/05 Fee \$25.
 Received by [Signature] Date 3/14/05 Receipt No. 5027475
 Processed by [Signature] AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED Clifford J. Simms, Jr. Family Trust, by Barbara J. Simms, successor Trustee to Clifford J. Simms, deceased, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Simms Credit Shelter Trust, Barbara J. Simms, Trustee, 17816 Highway 30, Bliss, ID 83314, hereinafter called the Grantee, an undivided one-half interest in the following described premises, in Gooding County, Idaho, to-wit:

Township 6 South, Range 13, East of the Boise Meridian,
Gooding County, Idaho

PARCEL 1

Section 34: A parcel of land, described as follows:

Beginning at the Northeast corner of Section 34;
Thence South along the East line of Section 34, 625.6 feet to
THE TRUE POINT OF BEGINNING;
Thence Southwesterly to a point 276 feet North of the
Southwest corner NE1/4NE1/4;
Thence South along West line E1/2NE1/4 and NE1/4SE1/4,
2818 feet, more or less, to a point 6 rods or (99 feet) North of
the Southwest corner of the NE1/4SE1/4;
Thence East parallel to South line of NE1/4SE1/4, 1320 feet
to the East line of Section 34;
Thence North along said East line of Section 34, 3235.4 feet,
more or less, to THE POINT OF BEGINNING;

EXCEPTING THEREFROM the tracts conveyed to the State
of Idaho for Highway purposes as set forth in the following
instruments:

- (a) Deed dated August 9, 1955, recorded August 31, 1955 in
Book 46 Deeds, Page 286
- (b) Deed dated August 9, 1955, recorded October 5, 1955 in
Book 46 Deeds, Page 304
- (c) Deed dated August 10, 1955, recorded October 5, 1955 in
Book 46 Deeds, Page 306
- (d) Second Judgment and Decree of Condemnation dated
March 20, 1964, recorded March 20, 1964, as microfilmed
Instrument No. 10908, records of Gooding County, Idaho

PARCEL II

Section 35: A parcel of land, described as follows:

Beginning at the Northwest corner of Section 35;
Thence South along the West line of Section 35, 625.6 feet to
THE TRUE POINT OF BEGINNING;
Thence Northeasterly 207.3 feet to a point 577 feet South of the
North line of said Section;
Thence Southeasterly 571.9 feet to a point 610 feet South of the
North line of said Section;
Thence Southeasterly to a point in the East line of the
NW1/4NW1/4 and 685 feet South of the Northeast corner of
said NW1/4NW1/4 of said Section;
Thence South along said East line of the NW1/4NW1/4

635 feet to the Southeast corner of NW1/4NW1/4;
Thence East along the North line of the SE1/4NW1/4, 435
feet;
Thence South 1°15' West, 2670 feet;
Thence North 88°0' East, 800 feet;
Thence South 41°0' East, 330 feet;
Thence South 38°40' West, 880 feet;
Thence South 70°30' West, 880 feet to a point on the West line
of SE1/4SW1/4 and 124 feet North of the Southwest corner of
SE1/4SW1/4;
Thence North along West line of the SE1/4SW1/4, 1196 feet
to the Northwest corner of said SE1/4SW1/4;
Thence West along the South line of the NW1/4SW1/4 to the
Southwest corner of said NW1/4SW1/4;
Thence North along West line of Section 35, 3334.4 feet to
THE POINT OF BEGINNING.

EXCEPTING THEREFROM the following described tract of
land located in the W1/2NW1/4, described as follows:

Beginning at the Northwest corner of said Section 35;
Thence South 625.6 feet along the West line of said Section 35;
Thence North 76°32' East, 207.3 feet;
Thence South 86°42' East, 43.43 feet to THE TRUE POINT
OF BEGINNING;

Thence South 8°13' East, 792.43 feet;
Thence North 78°41' East, 980.86 feet to the East line of the
NW1/4NW1/4 of said Section 35;
Thence North 486.41 feet along said East line;
Thence North 82°12' West, 552.56 feet;
Thence North 86°42' West, 528.47 feet to THE TRUE POINT
OF BEGINNING;
A strip of land 50 feet in width in the NW1/4NW1/4 of Section
35, the centerline which is described as follows for road
easements:
Beginning at the Northwest corner of said Section 35:
Thence South 625.6 feet along the section line common to said
Sections 34 and 35;
Thence North 76°32' East, 207.3 feet to THE TRUE POINT
OF BEGINNING;
Thence South 86°42' West, 43.43 feet.

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

Dated this 21 day of June, 1994.

CLIFFORD J. SIMMS, JR. FAMILY TRUST

By: Barbara J. Simms
Barbara J. Simms, Trustee

STATE OF IDAHO

County of Twin Falls

)
) ss.
)

On this 21st day of June, 1994, before me, the undersigned, a notary public in and for said county and state, personally appeared Barbara J. Simms, known to me to be the person whose name is subscribed to the foregoing instrument as trustee for the Clifford J. Simms, Jr. Family Trust, and acknowledged to me that she executed the same as trustee of said Trust.

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

Karan Nordmark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho
My Commission Expires: May 1, 1998

WLN/31036wd.524

157582

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Hepworth et al

58 min. past 9 o'clock A M. on 23
of June 1994 12.00

John A. Myers Recorder

By Alanta Sells Deputy

WARRANTY DEED

For Value Received CLIFFORD J. SIMMS, JR. and BARBARA J. SIMMS, husband and wife, hereinafter called the "Grantors," hereby grant, bargain, sell and convey unto CLIFFORD J. SIMMS, JR. FAMILY TRUST, whose address is 17816 U.S. Highway 30, Bliss, Idaho 83414, hereinafter called the "Grantee," certain real property located in Gooding County, Idaho, and more particularly described as follows, to-wit:

Township 6 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Parcel I:

Section 34: A parcel of land described as follows:

BEGINNING at the Northeast corner of Section 34;

Thence South along the East line of Section 34, 625.6 feet to the TRUE POINT OF BEGINNING; Thence Southwesterly to a point 276 feet North of the Southwest corner of NE1/4NE1/4;

Thence South along the West line of E1/2NE1/4 and NE1/4SE1/4, 2818 feet, more or less, to a point 6 rods or (99 feet) North of the Southwest corner of the NE1/4SE1/4;

Thence East parallel to the South line of NE1/4SE1/4, 1320 feet to the East line of Section 34;

Thence North along said East line of Section 34, 3235.4 feet, more or less, to the POINT OF BEGINNING.

EXCEPTING THEREFROM the tracts conveyed to the State of Idaho for Highway purposes as set forth in the following instruments:

- (a) Deed dated August 9, 1955, recorded August 31, 1955 in Book 46 of Deeds, page 286
- (b) Deed dated August 9, 1955, recorded October 5, 1955 in Book 46 of Deeds, page 304
- (c) Deed dated August 10, 1955, recorded October 5, 1955 in Book 46 of Deeds, page 306
- (d) Second Judgment and Decree of Condemnation dated March 20, 1964, recorded March 20, 1964, as microfilmed instrument No. 10908, records of Gooding County, Idaho.

HNSL

Hepworth,
Nungester,
& Lezamiz

WARRANTY DEED - 1

Jam.
cgs, Jr. to Trusts

Parcel 11:

Section 35: A parcel of land described as follows:

BEGINNING at the Northwest corner of Section 35;

Thence South along the West line of Section 35, 625.6 feet to the TRUE POINT OF BEGINNING;
Thence Northeasterly 207.3 feet to a point 577 feet South of the North line of said Section;
Thence Southeasterly 571.9 feet to a point 610 feet South of the North line of said Section;
Thence Southeasterly to a point in the East line of the NW1/4NW1/4 and 685 feet South of the Northeast corner of said NW1/4NW1/4 of said Section;

Thence South along said East line of the NW1/4NW1/4, 635 feet to the Southeast corner of NW1/4NW1/4;

Thence East along the North line of the SE1/4NW1/4, 435 feet;

Thence South 10°15' West 2670 feet;

Thence North 88°0' East 800 feet;

Thence South 41°0' East 330 feet;

Thence South 38°40' West 880 feet;

Thence South 70°30' West 880 feet to a point on the West line of SE1/4SW1/4 and 124 feet North of the Southwest corner of SE1/4SW1/4;

Thence North along West line of the SE1/4SW1/4, 1196 feet to the Northwest corner of said SE1/4SW1/4;

Thence West along the South line of the NW1/4SW1/4 to the Southwest corner of said NW1/4SW1/4;

Thence North along West line of Section 35, 3334.4 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the following described tract of land located in the W1/2NW1/4, described as follows:

BEGINNING at the Northwest corner of said Section 35;

Thence South 625.6 feet along the West line of said Section 35;

Thence North 76°32' East 207.3 feet;

Thence South 86°42' East 43.43 feet to the TRUE POINT OF BEGINNING;

Thence South 8°13' East 792.43 feet;

H&A

Hepworth
Nungester
& Lezamis

WARRANTY DEED - 2

1 STATE OF IDAHO)
2 County of Lincoln) ss.

3 On this 13 day of November, 1991, before me,
4 a notary public in and for said county and state, personally
5 appeared CLIFFORD J. SIMMS, JR. and BARBARA J. SIMMS, husband and
6 wife, known to me to be the persons whose names are subscribed to
7 the within instrument and acknowledged to me that they executed the
8 same.

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

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22
23
(DWLN\SIMMSWD.N14)

Paul W. Smith
NOTARY PUBLIC FOR IDAHO
Residing at: Idaho
My Commission Expires: March 15, 1994

146804
STATE OF IDAHO, COUNTY OF GOODING
Filed for record at the request of Hepworth, Nungesser & Lezama
34 min. past 10 o'clock A M. this 18 Nov 1991 ju 12.00
JOHN A. MYERS Recorder
by Arbela Solis Der

Hnd.

Hepworth
Nungesser
& Lezama

RECORDED - 4

1 Thence North 78°41' East 980.86 feet to the
2 East line of the NW1/4NW1/4 of said Section 35;
3 Thence North 486.41 feet along said East line;
4 Thence North 82°12' West 552.56 feet;
5 Thence North 86°42' West 528.47 feet to the
6 TRUE POINT OF BEGINNING.

7 ALSO EXCEPTING a strip of land 50 feet in
8 width in the NW1/4NW1/4 of Section 35, the
9 centerline which is described as follows for
10 road easements:

11 BEGINNING at the Northwest corner of said
12 Section 35;
13 Thence South 625.6 feet along the section line
14 common to said Sections 34 and 35;
15 Thence North 76°12' East 207.3 feet to the TRUE
16 POINT OF BEGINNING;
17 Thence South 86°42' West 43.43 feet.

18 To have and to hold the said premises, with their
19 appurtenances unto the said Grantee and to the Grantee's heirs and
20 assigns forever. The Grantors hereby covenant to and with the
21 Grantee, that the Grantors are the owners in fee simple of said
22 premises; that they are free from all encumbrances except as
23 described above and that Grantors will warrant and defend the same
from all lawful claims whatsoever.

Dated this 13 day of November, 1991.


CLIFFORD J. SIMMS, JR.


BARBARA J. SIMMS

H&L

Hepworth,
Nungester,
& Lezamis

WARRANTY DEED - 3

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: A37-00797
Date Received: 8/26/1988
Receipt No: S001780
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLIFFORD J. SIMMS 208-837-4537
Address: 17816 HWY. 30
BLISS, ID 83314

2. Date of Priority: JUN 30, 1880

3. Source: UNNAMED STREAM Trib. to: SNAKE RIVER
BIRCH CREEK SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	35	NW	SW	NW		GOODING

5. Description of diverting works:
50 HP PUMP IN STREAM, PIPELINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.100		

7. Total Quantity Appropriated is:
2.100 C.F.S. (and/or) 700.00 A.F.A.

8. Total consumptive use is 525.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	34	NE	NE		IRR	15.0
			SE	NE		IRR	40.0
			NE	SE		IRR	35.0

Section Acres 90.0

A37-00797

Page 1

Date: 08/26/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	13E	35	NW		NW		IRR	5.0
			SW		NW		IRR	35.0
			SE		NW		IRR	3.0
			NE		SW		IRR	7.0
			NW		SW		IRR	29.0
			SE		SW		IRR	6.0
							Section Acres	85.0
							Total Acres	175.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-7116, 37-1175

14. Remarks:

ALTHOUGH THE RIGHT WAS DECREED FROM BIRCH CREEK, THE DIVERSION HAS BEEN ON THE UNNAMED STREAM SINCE THE EARLY 1970'S. THE ORIGINAL GRAVITY SYSTEM WAS REPLACED BY A PUMP & SPRINKLERS THEN. ADDITIONAL COVERED BY THE SPRINKLERS IS CLAIMED UNDER SEC. 42-1416 OF THE IDAHO CODE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/14/1917

SWINEHART ET. AL.

Decree Plaintiff

vs

VADER ET. AL.

Decree Defendant

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: _____

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): Clifford Jensen Date: 8-26-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

101.74C

21/26
34/35

T642
C 8
(650C)

A
37.8

T643
C 9
(651C)

A
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D
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J
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Q
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C19
573

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G
18.1

A
10.4

B
15.5

34/35

C 261
(545C)

T685

MICROFILMED

FEB 2 1982

COPY

2006 MAY -4 AM 9: 57

DB 16 11 25 BT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

Subcase No. 37-797, 37-7116, 37-12868

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 5/4/06

T. Douglas Jones
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/4, 2006, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Norval Rex Awalt
Christy Lou Awalt
PO Box 392
San Miguel CA 93451

Simms Credit Shelter Trust
Clifford J Simms Jr Family Trust
Barbara Simms Trustee
17816 Hwy 30
Bliss ID 83314



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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

03/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7116

NAME AND ADDRESS: CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

NORVAL REX AWALT
PO BOX 392
SAN MIGUEL CA 93451

SOURCE: BIRCH CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 6.000 CFS
4,340.00 AFY

Rights 37-797, 37-799 and 37-7116 when combined shall not exceed a total diversion rate of 6.00 cfs.

PRIORITY DATE: 01/12/1984

POINT OF
DIVERSION: T06S R13E S35 SWNWSW Within GOODING County
T06S R13E S35 SWSESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	6.000 CFS 4,340.00 AFY

PLACE OF USE: FISH PROPAGATION Within GOODING County

T06S R13E S34	NESE	T06S R13E S35	NWSW
T06S R13E S35	SESW		

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

The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.

The agreement dated March 30, 1972, among Vernon J. Huff, E. Bud Jensen and Paul Fleming, is a part of this right for purposes of delivering water between the parties or their successors in interest.

Rights 37-797 and 37-799 are also diverted through the point of diversion in the SW¹/₄NW¹/₄SW¹/₄ Sec. 35, T6S, R13E, B.M., described above.

Use of water under this right shall be non-consumptive.

For each authorized point of diversion, the right holder shall maintain a means of measurement and lockable controlling works acceptable to the Department.

This right authorizes the simultaneous diversion and use of up to 6.00 cfs of water from Birch Creek at each of the two authorized points of diversion.

03/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-12868

NAME AND ADDRESS: CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

NORVAL REX AWALT
PO BOX 392
SAN MIGUEL CA 93451

SOURCE: UNNAMED STREAM

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 02/03/1892

POINT OF
DIVERSION: T06S R13E S35 SWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.000 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S34	NENE	15.00	T06S R13E S34	SENE	40.00
T06S R13E S34	NESE	35.00	T06S R13E S35	NWNW	4.90
T06S R13E S35	SWNW	20.00	T06S R13E S35	NWSW	23.00

137.9 ACRES TOTAL

Right nos. 37-797 and 37-12868 are limited to the irrigation of a combined total of 137.9 acres in a single irrigation season.

This right is limited to the irrigation of 77 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 - Beneficial Use

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 4, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

NORVAL REX AWALT
CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

RE: SRBA Claim(s) 37-797, 37-7116, 37-12868

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Barbara Simms, Trustee
17816 Hwy 30
Bliss ID 83314

RECEIVED

MAR 15 2006

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

Department of Water Resources
Southern Region

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, 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
~~39-11134~~	37-797	-			
37-11134		-			
	37-12868	-			
	37-7116	-			

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**.
- 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) are 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) Simms Credit Shelter Trust
Clifford J Simms Jr. Family Trust
4. New Owner/Claimant(s) Norval Rex Awalt & Christy Lou Awalt
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 392, E
- City, State and ZIP Code San Miguel, CA 93451
- New Telephone Number (805) 238-1315
5. Date you acquired the property 2-22-06

Order No. G060018

WARRANTY DEED

For Value Received

SIMMS CREDIT SHELTER TRUST, BARBARA J. SIMMS, TRUSTEE and
CLIFFORD J. SIMMS JR. FAMILY TRUST, BARBARA J. SIMMS, TRUSTEE

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

NORVAL REX AWALT and CHRISTY LOU AWALT, HUSBAND AND WIFE

the grantee(s), whose current address is

PO BOX 392 , SAN MIGUEL, CA 93451

the following described premises, to-wit:

See Attached Exhibit "A"

Instrument # 215154

GOODING, GOODING, IDAHO

2006-02-23

10:46:54

No. of Pages: 4

Recorded for : GOODING TITLE

DENISE M. GILL

12.00 Fee:

Ex-Officio Recorder Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

^{22nd}
Dated: February 3, 2006

Barbara J. Simms, Trustee
BARBARA J. SIMMS, TRUSTEE

STATE OF IDAHO

: ss

COUNTY OF GOODING

On This 22nd day of February, in the year 2006, before me, a Notary Public in and for said State, personally appeared **BARBARA J. SIMMS**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, as trustee of the Simms Credit Shelter Trust and acknowledged to me that he/she/they executed the same as such trustee.

WITNESS my hand and official seal.

Lori Williamson
Notary Public of Idaho
Residing at Filer, ID
Commission Expires: January 26, 2010

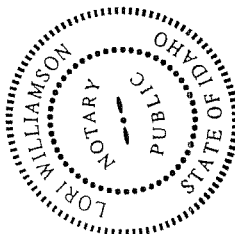


EXHIBIT A
G060018

Parcel 1

Township 6 South, Range 13 East, Boise Meridian, Gooding County, Idaho

Section 34: A parcel of land located in the E $\frac{1}{2}$ E $\frac{1}{2}$ being more particularly described as follows:

Commencing at the Northeast Section Corner of said Section 34 from which the E $\frac{1}{4}$ corner of said Section 34 bears South 00°30'38" West 2633.78 feet;
Thence South 00°30'38" West along the East boundary of said Section 34 for a distance of 625.60 feet to the TRUE POINT OF BEGINNING;
Thence South 72°52'09" West for a distance of 1376.00 feet to a point on the West boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section, said point being located North 00°30'27" East 276.00 feet from the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section (record Southwesterly to a point 276.00 feet North of the Southwest corner NE $\frac{1}{4}$ NE $\frac{1}{4}$);
Thence South 00°30'27" West along the West boundary of the E $\frac{1}{2}$ E $\frac{1}{2}$ of said Section 34 for a distance of 2809.12 feet to a point that is located North 00°30'27" East 99.00 feet from the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 34 (record South along West line E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, 2818.00 feet, more or less, to a point 6 rods or (99 feet) North of the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$);
Thence South 89°29'31" East parallel with the South boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1311.14 feet to a point on the East boundary of said Section 34 (record East parallel with the South boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1320.0 feet to the East line of Section 34);
Thence North 00°30'38" East along the East boundary of said Section 34 for a distance of 3226.07 feet to the TRUE POINT OF BEGINNING (record North along said East line of Section 34 3235.4 feet, more or less, to the Point of Beginning).

EXCEPT

The tracts conveyed to the State of Idaho for Highway purposes as set forth in the following instruments.

1. Deed dated August 9, 1955, recorded August 31, 1955 in Book 46 of Deeds, page 286.
2. Deed dated August 9, 1955, recorded October 5, 1955 in Book 46 of Deeds, page 304.
3. Deed dated August 10, 1955, recorded October 5, 1955 in Book 46 of Deeds, page 306.
4. Second Judgment and Decree of Condemnation dated March 20, 1964, recorded March 20, 1964 as microfilmed Instrument No. 10908, records of Gooding County, Idaho

Parcel 2

Township 6 South, Range 13 East, Boise Meridian, Gooding County, Idaho

Section 35: A parcel of land located in the W $\frac{1}{2}$ more particularly described as follows:

Commencing at the Northwest corner of said Section 35 from which the W $\frac{1}{4}$ corner of said Section 35 bears South 00°30'38" West 2633.78 feet;
Thence South 00°30'38" West along the West boundary of said Section 35 for a distance of 625.60 feet to the TRUE POINT OF BEGINNING;
Thence North 76°49'34" East for a distance of 207.30 feet to a point 577.00 feet South of the North boundary of the NW $\frac{1}{4}$ of said Section 35 (record Northeasterly 207.3 feet to a point 577 feet South of the North line of said Section 35);
Thence South 86°18'27" East for a distance of 43.30 feet;
Thence South 23°09'42" West for a distance of 108.19 feet;
Thence South 01°45'02" West for a distance of 726.24 feet;
Thence North 88°51'17" East for a distance of 112.73 feet;
Thence North 57°34'22" East for a distance of 70.98 feet;
Thence North 79°06'12" East for a distance of 980.86 feet to a point on the East boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 35;
Thence South 00°39'08" West along the East boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 35 for a distance of 144.49 feet to the Southeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section;
Thence South 89°38'08" East along the North boundary of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 35 for a distance of 435.00 feet (record East along the North boundary of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ 435.00 feet);
Thence South 02°30'51" West for a distance of 1619.64 feet to a found monument (Malad Gorge State Park record South 02°20'00" West 1610.82 feet);
Thence continuing South 02°30'51" West for a distance of 1023.67 feet (Malad Gorge State Park record South 02°20'00" West 1610.82 feet);
Thence North 88°34'27" East for a distance of 224.24 feet to a found monument (Malad Gorge State Park record North 89°05'00" East 209.36 feet);
Thence continuing North 88°34'27" East for a distance of 591.85 feet (Malad Gorge State Park record North 88°00'00" East 590.64 feet);
Thence South 40°20'52" East for a distance of 328.37 feet to a found monument (Malad Gorge State Park record South 39°55'00" East 330.00 feet);

Thence South 39°42'01" West for a distance of 878.80 feet to a found monument (Malad Gorge State Park record South 39°45'00" West 880.00 feet);
Thence South 71°16'52" West for a distance of 876.00 feet to a point on the West boundary of the SE¼SW¼ of said Section 35, said point being North 00°39'05" East 124.00 feet from the Southwest corner of the SE¼SW¼ of said Section 35 (record South 70°30'00" West 880.00 feet to a point on the West boundary of the SE¼SW¼ and 124.00 feet North of the Southwest corner of the SE¼SW¼);
Thence North 00°39'05" East along the West boundary of the SE¼SW¼ of said Section 35 for a distance of 1195.29 feet to the Northwest corner of the SE¼SW¼ of said section 35 (record North along the West line of the SE¼SW¼ 1196.00 feet to the Northwest corner of the SE¼SW¼);
Thence North 89°33'08" West along the South boundary of the NW¼SW¼ of said Section 35 for a distance of 1314.30 feet to the Southwest corner of the NW¼SW¼ of said Section 35 (record West along the South boundary of the NW¼SW¼ to the Southwest corner of the NW¼SW¼);
Thence North 00°30'38" East along the West boundary of said Section 35 for a distance of 3325.07 feet to the TRUE POINT OF BEGINNING (record North along the West boundary of said Section 35 3334.4 feet).

Barbara J. Simms, Trustee
BARBARA J. SIMMS TRUSTEE

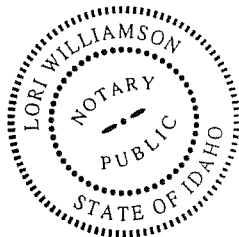
STATE OF IDAHO

COUNTY OF GOODING

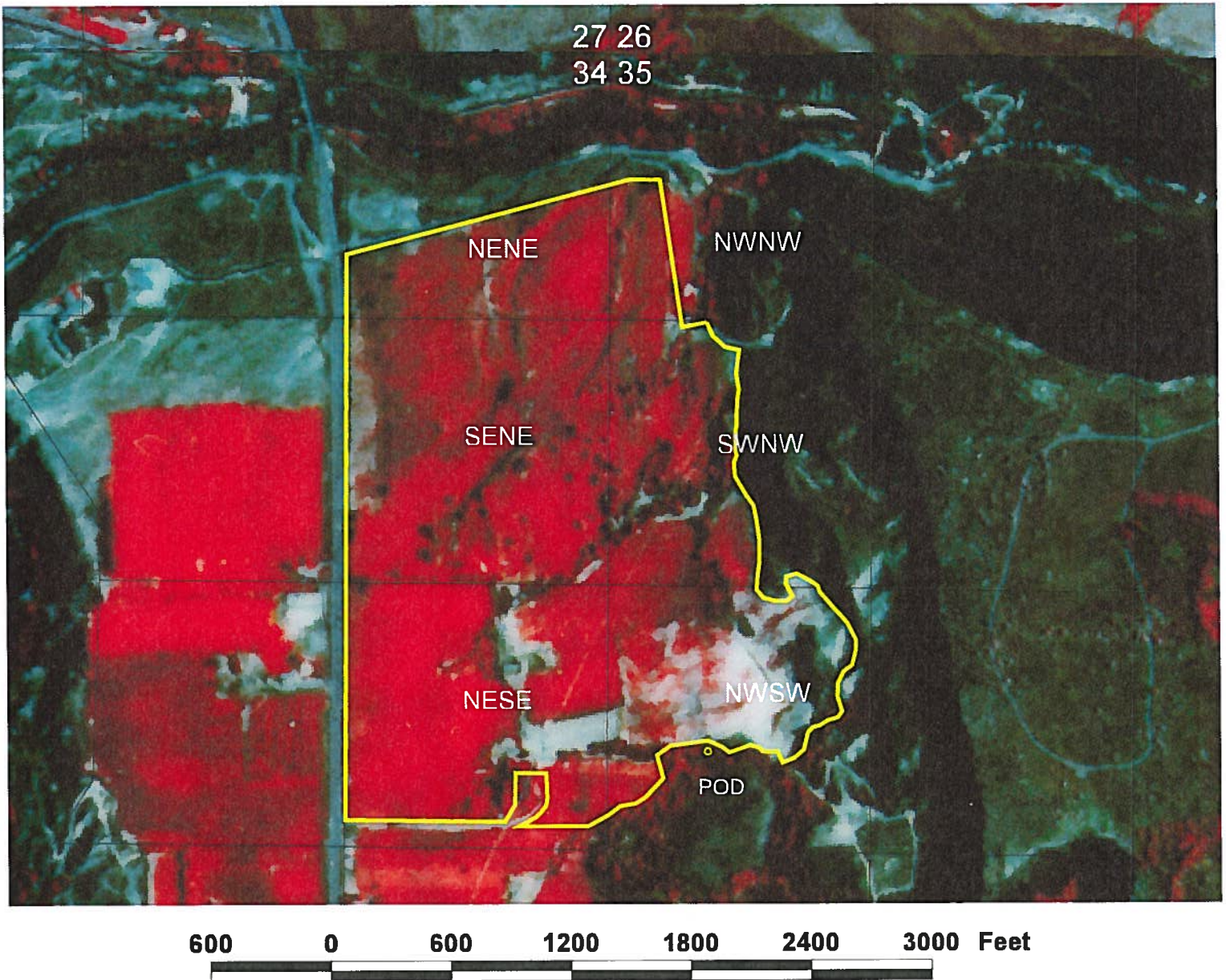
On This 2nd day of February, in the year 2006, before me, a Notary Public in and for said State personally appeared **BARBARA J. SIMMS**, known or identified to me to be the person whose name is subscribed to the within instrument, as such trustee of the Clifford J. Simms Jr. Family Trust and acknowledged to me that he/she/they executed the same as such trustee.

WITNESS my hand and official seal.

Lori Williamson
Notary Public of Idaho
Residing at Filer, Id.
Commission Expires: January 26, 2010

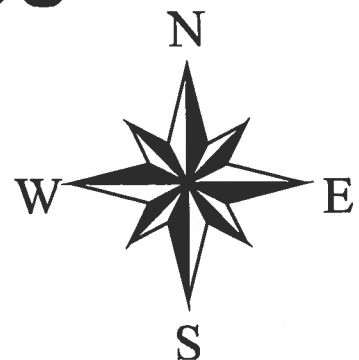


37-797



T06S R13E S34 & S35

Map prepared by: Carter Fritschle
Date prepared: 02/08/05
1987-1988 NAPP photography
Idaho Department of Water Resources



Fritschle, Carter

From: Stanton, Jim
Sent: Thursday, March 10, 2005 11:59 AM
To: Fritschle, Carter
Cc: Stanton, Jim
Subject: Barbara Simms Water Use

Carter - Here is what I found on the Simms place yesterday. There are 4 water sources on this property. What she calls Indian Creek starts as a spring arising in the SW/NW/NW Sec. 35; it appears as an opening in a grove of trees, A tree line runs SW from the spring before turning westerly and running through the rocky pasture on the north part of the farm. While it may have been used for gravity irrigation many years ago, that use no longer exists. Livestock may drink out of it as it flows through the pasture, however.

Moving south, the next water source is what she calls Willow Creek. The tree line runs south along the canyon rim before turning southwesterly. There is a concrete dam below the spring that forms a small pond (SE/NW/NW Sec. 35) where the irrigation pump sat until 1989 or 1990. The pump was then moved to its present location in the center of the north half of the NE/SE Sec. 34. This switched the primary water source to Birch Creek, the southernmost (& only named water source) on this farm. Birch Creek splits naturally, with the north branch forming a dome-shaped loop in the south part of the NW/SW Sec. 35. There is a check dam near the top of the loop that forces water into a ditch that feeds 2 ponds (1 pond for fish production and one settling pond below it). At the west end of the settling pond, a buried pipeline takes water to the present pump site on a tiny pond. Willow Creek used to meet the fish-pond discharge at this point, but now is shunted around the tiny pond most of the time. Willow Creek water is mainly used at the start of the season to help charge the sprinkler system (some Willow Cr. water was flowing thru the dirt/rock dike into the pond during my visit, so the control of the water source is not that perfect). The pump was moved from the head of Willow Creek in order to take advantage of the free fertilizer from the fish ponds, and also to the problem of reaching the old pump site once irrigation started. The pump, which is in the large indentation in the green field NW of the Simms home, was measured at 1.97 cfs at 71 psi last year. So the pond on Birch Creek is the SW/NW/SW Sec. 35. The pond for the unnamed stream (Willow Creek) is the NW/NE/SE Sec. 34. The pond tail water and Willow Creek co-mingled at the tiny pond until about 5 years ago, but Willow Cr. is kept out most of the time now due to siltation problems (which they are trying to fix). But the dike and the pump are within maybe 7 feet of each other, so there is no change in legal description (the qqg is a little iffy on the 1987 photo, but clear in the 2004 photo; I am going with 2004).

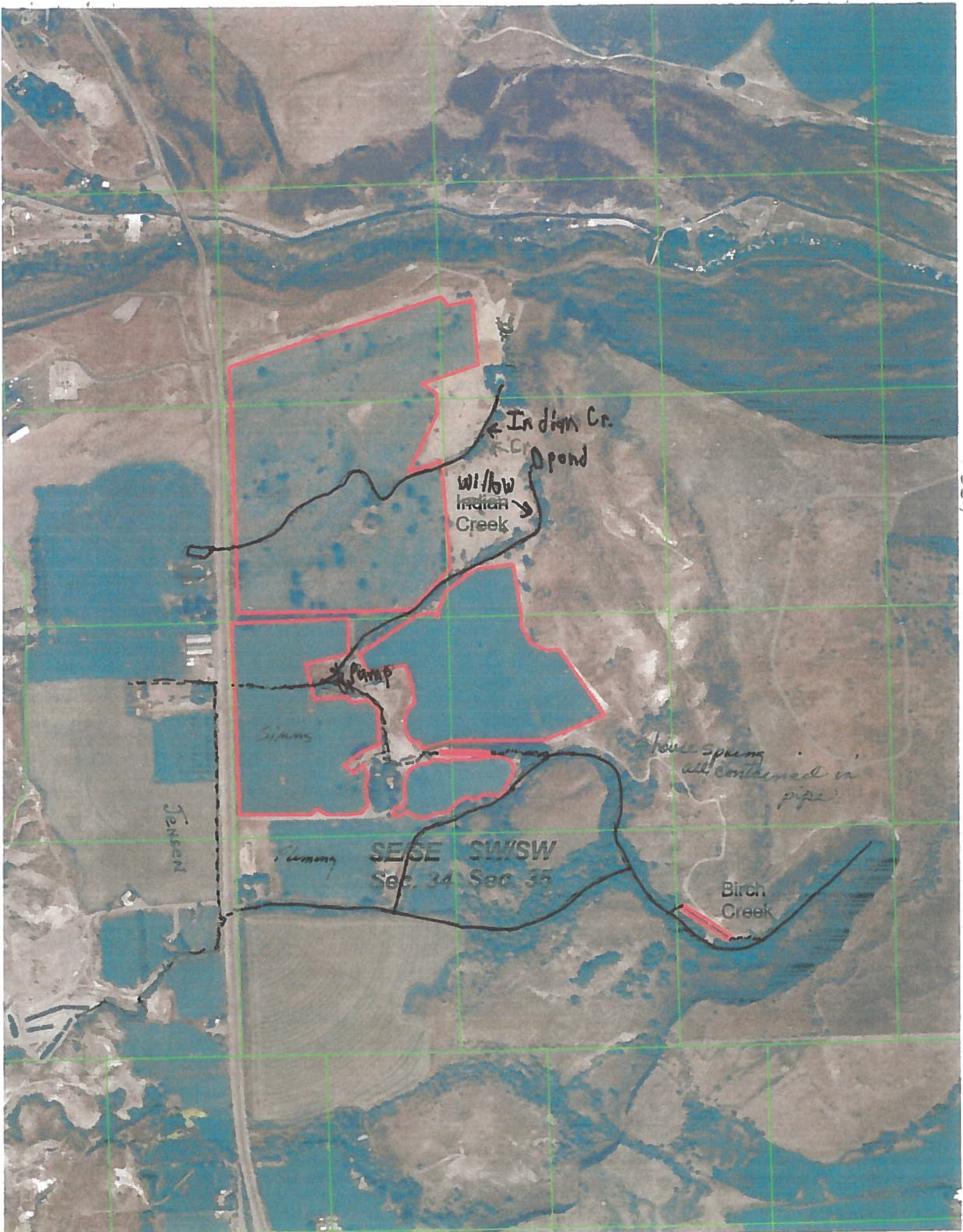
The domestic spring that has already been decreed is located in the SE/NW/SW Sec. 35; it is in the trees north of the south-pointing loop in the access road to the upper fish ponds, & is clearly shown on the 2004 photo. This is used for domestic water and watering her flowers. The lawn is watered from the pump described above.

With regard to the Malad River claim that you were going to disallow, her hired man told me that it was last used in the 1960's. The state park has refused to allow the water (which is actually tail water from the Justice Ditch plus field runoff from their system) to run over the rim to her (you can still clearly see white marks on the rimrock where the water used to come over), but she is still negotiating with them to try and get the use of it. I told her that the right has probably been forfeited for non-use, so I don't know what she will do with your recommendation.

With regard to stockwater use, she said that they have up to 150 cow/calf pairs since they bought the place in 1988. The cattle just drink from the Indian Creek & Willow Creek as they flow thru the property (no man-made diversion works). I saw a lot of cattle waste along Birch Creek, so I guess they drink out of that also; it is not specifically diverted for cattle, however, so I would just call it in-stream use. I do not plan to recommend stockwater on the license.

I gave Mrs. Simms a Change of Ownership, but she wanted to check with her lawyer (they are meeting today) before submitting it. The farm is for sale, but she has not heard from the potential buyer lately; maybe the sale is uncertain at this point.

Let me know if you need anything else (ArcView maps, etc.) I am rushed today (more field work after lunch), so am doing what I can for the moment.





Settling Pond Looking West – Permit 37-7116
By J E Stanton 3-9-05 (Pond dry for cleaning)

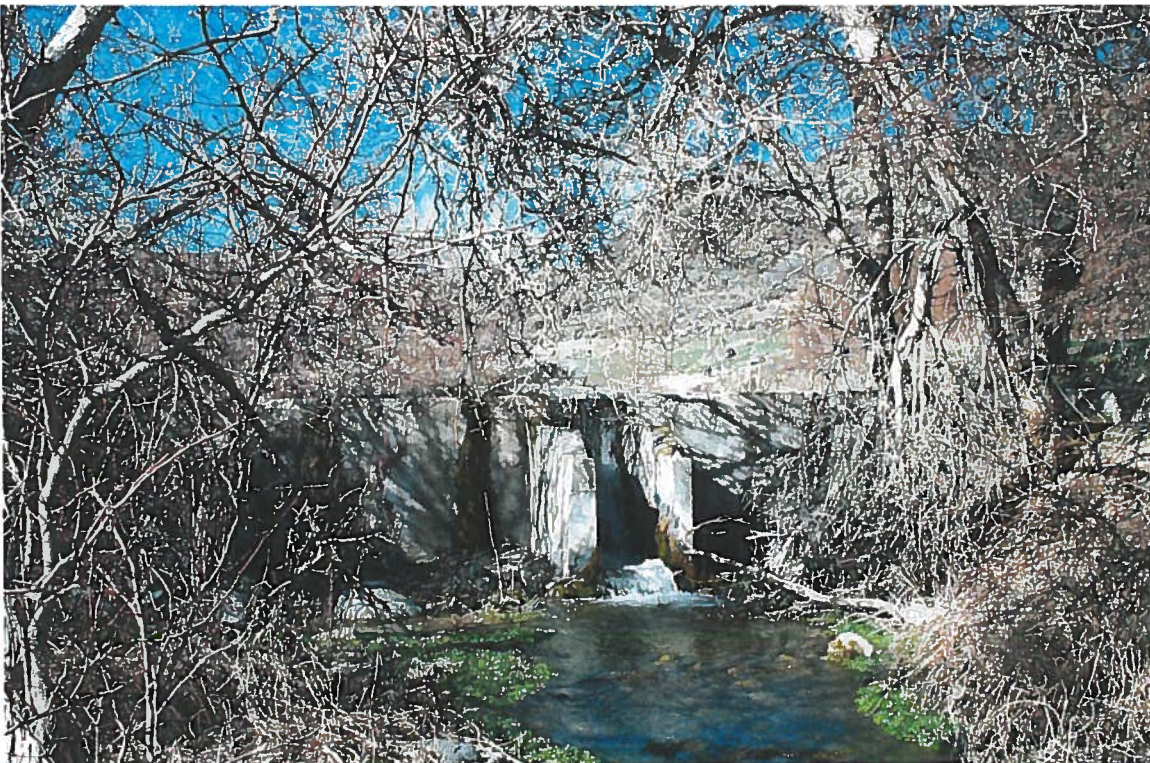


Outlet From Settling Pond To Irrigation Pump
By J E Stanton 3-9-05



Pond & Original Pump Site On Unnamed Stream – Claim 37-797
By J E Stanton 3-9-05

12868



Concrete Check Dam On Unnamed Stream Willow Creek Looking North
By J E Stanton 3-9-05



Irrigation Pump, Mainline To Sprinklers – Claim 37-797
By J E Stanton 3-9-05



Point of Diversion On Unnamed Stream Looking West
Claim 37-797 – By J E Stanton 3-9-05



Sump & Irrigation Pump On Birch Creek, Claim 37-797
By J E Stanton 3-9-05

03/28/2005

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

RIGHT NUMBER: 37-797

NAME AND ADDRESS: SIMMS CREDIT SHELTER TRUST
BARBARA SIMMS TRUSTEE
17816 HWY 30
BLISS ID 83314

CLIFFORD J SIMMS JR FAMILY TRUST
BARBARA SIMMS TRUSTEE
17816 HWY 30
BLISS ID 83314

SOURCE: BIRCH CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.100 CFS

PRIORITY DATE: 06/30/1880

POINT OF DIVERSION:

T06S R13E S35 NWSW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.100 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S34	NENE	15.0	T06S R13E S34	SENE	40.0
T06S R13E S34	NESE	35.0	T06S R13E S35	NWNW	4.9
T06S R13E S35	SWNW	20.0	T06S R13E S35	NWSW	23.0

137.9 ACRES TOTAL

Right nos. 37-797 and 37-12868 are limited to the irrigation of a combined total of 137.9 acres 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: Decreed

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

RECEIVED

APR 07 1993

Department of Water Resources
Southern Region Office

April 6, 1993
(Date)

IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE ST. EAST
TWIN FALLS, IDAHO 83301

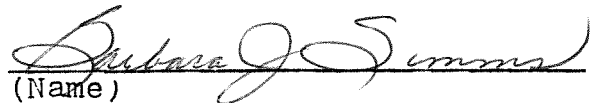
Dear Idaho Department of Water Resources:

Please provide me with a copy of all information included in
my file as it relates to water right number A37-00797 & A37-07116.

A37-01175A & A37-12868
Please advise me of any documents in my file which you are not
releasing to me and why they are not being released.

Please bill me for the copy charge.

Sincerely,


(Name)

17816 U. S. Highway #30
(Address)

Bliss, Idaho 83314
(City, State, Zip Code)

cc: David B. Shaw, Adjudication Bureau Chief
Idaho Department of Water Resources
1301 North Orchard Street
Statenouse Mail
Boise, Idaho 83720-9000

MICROFILMED

OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Apr-1993

BARBARA J SIMMS
17816 U S HWY #30
BLISS ID 83314

RE: Copy of SRBA File(s): 37-00797, 37-01175A, 37-07116, 37-12868

Dear Ms. Simms:

Please find enclosed the copies of documents you recently requested contained in the above referenced SRBA file(s) as of this date. Please note that copies of orthophoto quad maps or NAPP photography or aerial slides which may have been used in the review of your claim(s) have not been included since they are not easily reproduced. These items are however available for your review at our office. Please also note that in some situations some water rights may have other associated files which contain privileged information between IDWR staff and our legal council which has not been copied.

Please remit the following for the cost of the copies and postage:

\$2.55

Sincerely,

Jeanie Robertson
Records Clerk

Encl:

MICROFILMED

OCT 24 1994

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

37-00797

Receipt No: 8018618

RECEIVED

Date: 4/16/1993
Time: 10:19:49

APR 16 1993

Department of Water Resources
Southern Region Office

Received

From: SIMMS BARBARA J.

Type of Payment	Program Acct Class	Amount
FEE FOR COPY OF ADJUDICATION CLAIM		
64100	229 21 1760	0.28

Total

CASH

\$0.28

Region: SOUTHERN

Signature: R. Jost

MICROFILMED
OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Apr-1993

BARBARA J SIMMS
17816 U S HWY #30
BLISS ID 83314



RE: Copy of SRBA File(s): 37-00797, 37-01175A, 37-07116, 37-12868

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\$2.55

Sincerely,


Jeanie Robertson
Records Clerk

Encl:

RECEIVED

APR 17 1993

Department of Water Resources
Southern Region Office

MICROFILMED

OCT 24 1994