

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: **A02-07172K**
Date Received: 11/28/1989
Receipt No: C013061
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: GARY CURTIS C/O MDS
Address: BOX R-415
UNIT 61201
APO AE NY

09802-0415

AND/OR

Name: JULIE C CURTIS C/O MDS
Address: BOX R-415
UNIT 61201
APO AE NY

09802-0415

2. Date of Priority: OCT 21, 1974

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
06S	08E	2	NW	NE	SE	6	ELMORE
				NW	SE	6	ELMORE

5. Description of diverting works:
5HP PUMP WITH PIPELINE & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.060		12.00

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 12.00 A.F.A.

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	08E	2	NE	SE	6	IRR	3.0
Section Acres							3.0
Total Acres							3.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

N/A

14. Remarks:

SPLIT RIGHT PLEASE SEE A02-07172E. JDC.

SPLIT SEVERAL TIMES IN THE A02- ADJ. THERE WERE 3 A,B, & C.

NOW THERE ARE A, D, E, F & G ASSIGNED IN THE SRBA AS OF 11-08-89 FOR ASSIGNMENT OF SPLITS.

SEE A02-07172G FOR THE BASE PORTION CLAIMED BY EVAN E. KOHTZ.

SEE A02-07172H, 0.06 CFS, 3 AC

SEE A02-07172J, 0.066, 3 AC

OWNERSHIP AND ADDRESS CHANGED 12/30/1994 BY MM.

SINGLE POINT OF DIVERSION LOCATED ON OR NEAR THE LINE BETWEEN NESE AND NWSE, S02, T06S, R08E.

PROPERTY IS ALSO KNOWN AS PARCEL 1A, LOT 1, BLK 33, FRUITLAND SUBDIVISION.

15. Basis of Claim: LICENSE

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Ms. Minicucci,

I went to the recorder's office and they gave me copies of everything on this parcel of land. I hope this is what you needed. We are leaving on Dec. 31. to go to Saudi Arabia. If you need any more information our address there is.

Dary Curtis %MDS
Box R-415
Unit 61201
APO AE 09802-0415

RECEIVED

DEC 29 1994

WATER RESOURCES
WESTERN REGION

Thank-you
Mrs. Curtis

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SEP 19 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4394
WATER RIGHT NO. 02-07172B
FOR ADJ. CLAIM NO. A02-07172K

Regin H. H. H.
PARCEL 1A

This is to certify that: **GARY C CURTIS**
JULIE A CURTIS
3320 S 26TH E
MOUNTAIN HOME ID 83647

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>
IRRIGATION	04/01 to 10/31	0.06 CFS	12.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER	COLUMBIA RIVER

Priority: 10/21/1974

LOCATION OF POINT(S) OF DIVERSION: Lot 6(NESE), Sec. 2, Township 06S, Range 08E
Lot 6(NWSE), Sec. 2, Township 06S, Range 08E
ELMORE 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>
06S	08E	2	Lot 6(NESE)	3		3
Total number of acres irrigated:						3

CONDITIONS/REMARKS:

- ✓ 1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- ✓ 2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- ✓ 3. 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.
- ✓ 4. 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.

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TRANSFER NO. 4394
WATER RIGHT NO. 02-07172B

CONDITIONS/REMARKS:

5. Single point of diversion located on or near the line between NESE and NWSE, S02, T06S, R08E.
6. Place of use is located within Parcel 1A, Lot 1, Block 33, Fruitland Subdivision.

Dated this 30th day of August, 1994.

J. Glen Saylor
Chief, Water Alloc. Bureau

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SEP 19 1996

Transfer No. 4394

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Gary C. i/or Julie A. Curtis Phone 587-5865
Post Office address 3320 S. 26th E. Mesa Home ID 83647

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes NEW OWNER WANTS TO ADD PUMP AT
RIVER FOR 3.15 ACRES; WILL NOT RELY ON PUMP(S) THAT SERVED THE
LAND THROUGH COMMON PIPELINE SYSTEM. CLAIMED PLOT HAS NOT BEEN USED
FOR MANY YEARS SINCE PUMP(S) LOCATION WAS MOVED DOWNSTREAM. SEE ATTACHMENT
0 FOR CLARIFICATION.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|------------|-----------------------|------------------|---------------|
| AG2-07772K | 10/21/1974 | .066 cfs | Irrigation | 4/1 to 10/31 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred .066 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres _____

PART 1

6. General Information:

- a. Description of diversion system proposed pump & sprinkler
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks:
Plu is Parcel 1A of Lot 1 Bl. 33, Frontland Trsd

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A02-07172K

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	0.06 CFS
<u>SOURCE</u>	<u>TRIBUTARY OF</u>	
SNAKE RIVER	COLUMBIA RIVER	

Priority: 10/21/1974

LOCATION OF POINT(S) OF DIVERSION: Lot 6(NWNESE), Sec. 2, Township 06S, Range 08E
ELMORE 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>
06S	08E	2	Lot 6(NESE)	3		3
Total number of acres irrigated:						3

CONDITIONS/REMARKS:

1. SPLIT RIGHT PLEASE SEE A02-07172E. JDC.
2. |
SPLIT SEVERAL TIMES IN THE A02- ADJ. THERE WERE 3 A,B, & C.
3. |
NOW THERE ARE A, D, E, F & G ASSIGNED IN THE SRBA AS OF 11-08-89
FOR ASSIGNMENT OF SPLITS.
4. |
SEE A02-07172G FOR THE BASE PORTION CLAIMED BY EVAN E. KOHTZ.
5. |
SEE A02-07172H, 0.06 CFS, 3 AC
|
SEE A02-07172J, 0.066, 3 AC

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

PART 3

B. CHANGES IN NATURE OF USE

N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Julie A. Curtis
(Signature of Applicant)

Subscribed and sworn to before me this 18th day of July, 19 94.

Jan Skute
(Notary Public)

My commission expires 9-14-94

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by SR Date 7-18-94 Protest filed by _____

Prelim. check by SR Fee \$100

Receipted by SR Date 7-18-94 W017763

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

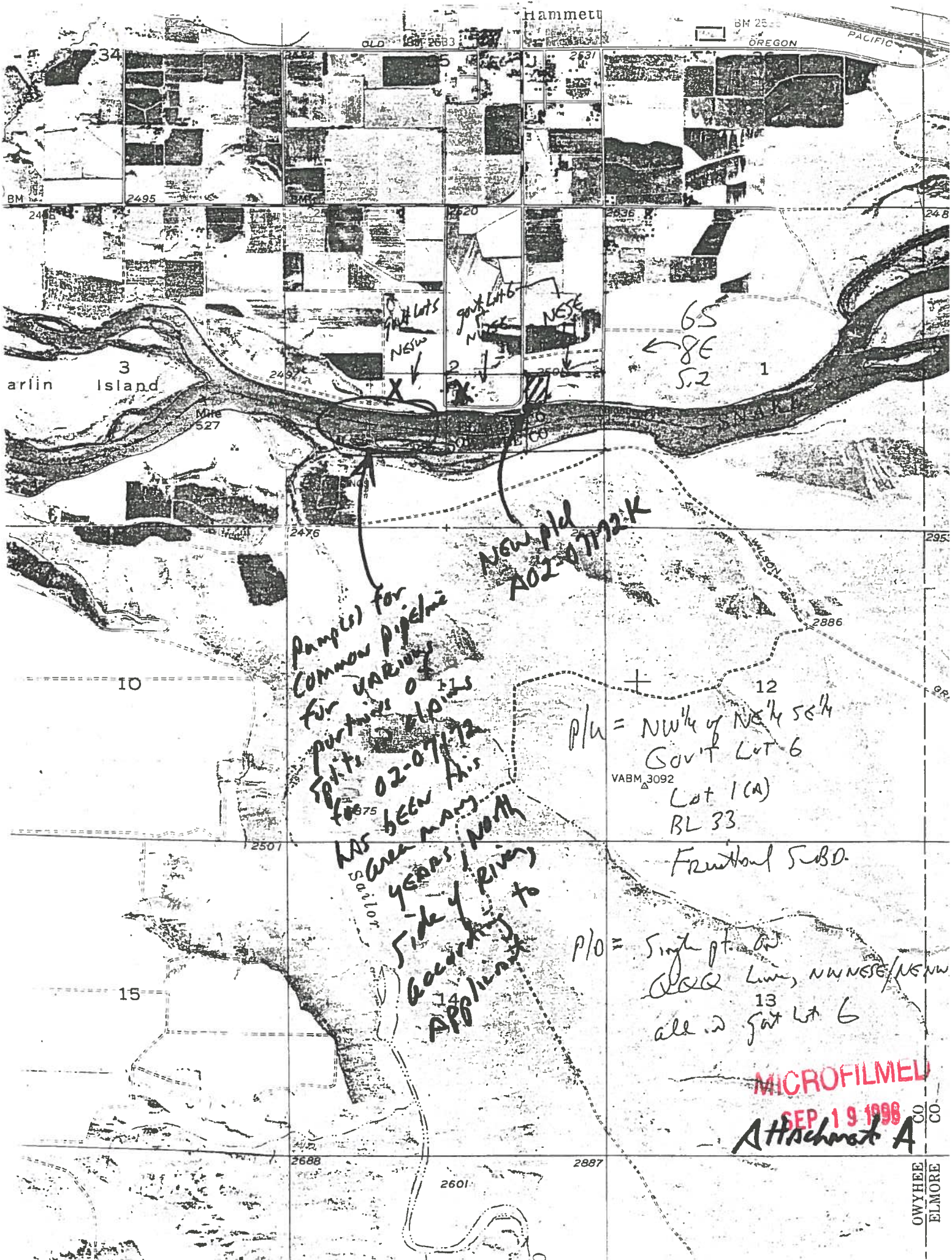
Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See Attachments A - Ortho
B - just lots
C - subd. plat

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Pump(s) for
Common Pipeline
for various
portions of
splits for 02-07-12
has been his
area many
years north
side of river
according to
Applicant

New pld
A02-0772-K

P/U = NW 1/4 of NE 1/4 Sec 4
Gov't Lot 6
VABM 3092
Lot 1(A)
BL 33
Frontal SBD.

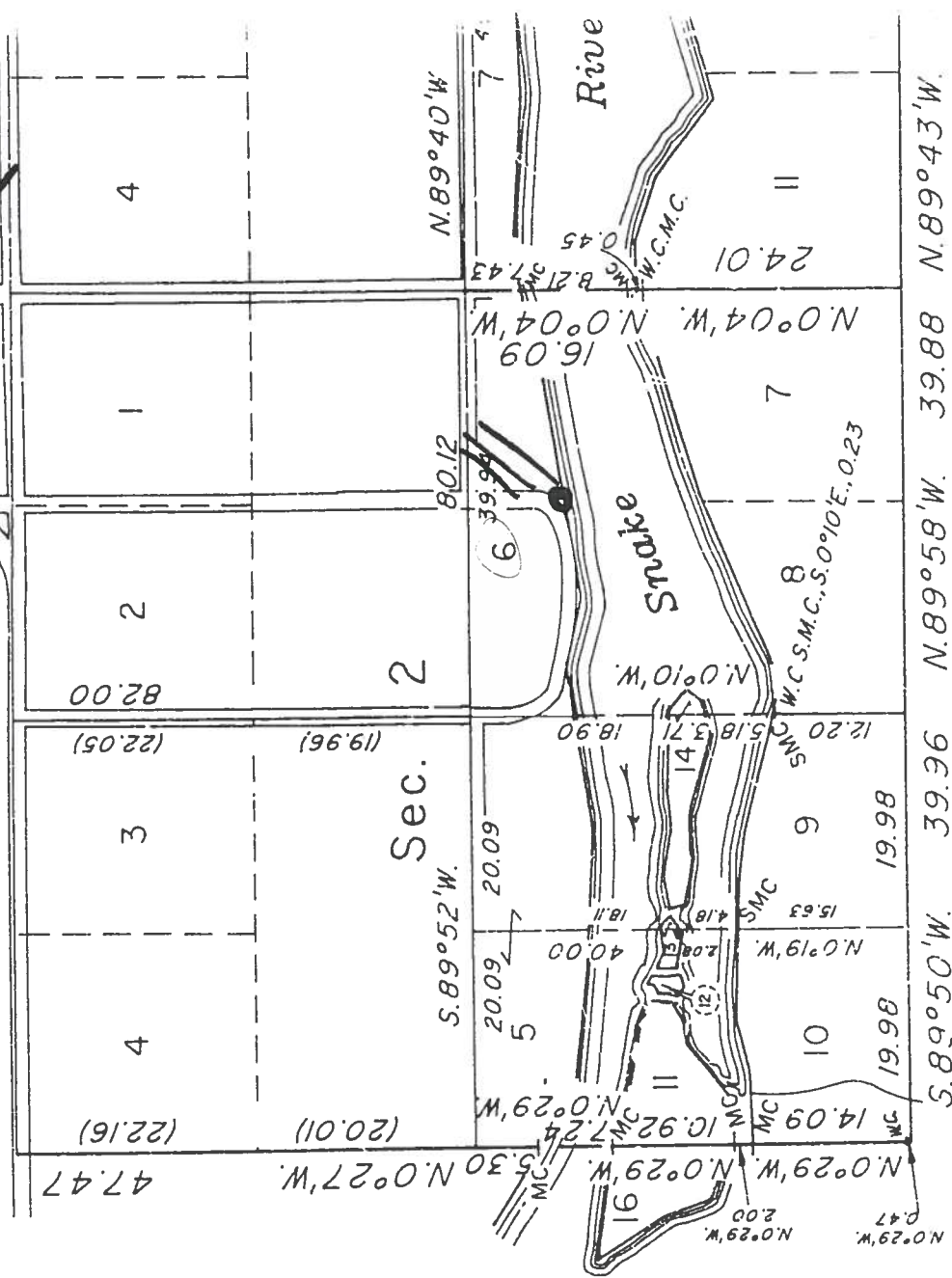
P/O = Single pt. on
line, NWN 1/4 NE 1/4
all in Gov't Lot 6

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Attachement A

OWYHEE
ELMORE

Attachment B

78



Sec. 3

Sec. 11

MICROFILM
SEP 19 1996

L1(A)
BL33

Attachment C

52 31

PLAT OF FRUITLAND SUBDIVISION

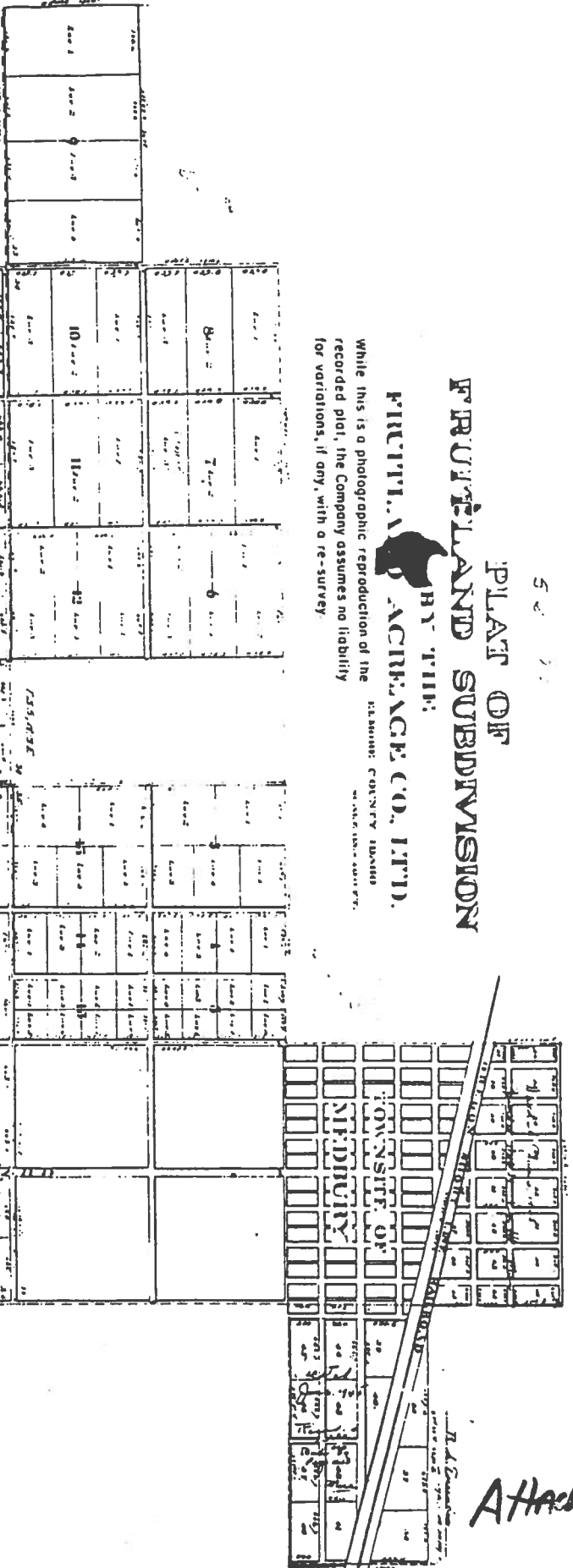
BY THE
FRUITLAND ACRES CO., LTD.

While this is a photographic reproduction of the
recorded plat, the Company assumes no liability
for variations, if any, with a re-survey.

BLM: BUREAU OF LAND MANAGEMENT
COUNTY: COCONINO

SEP 19 1996

UNRECORDED



Attachment 1

L1(A)
BL 33

MEMORANDUM

TO: FILE

FROM: STEVE LESTER *SL*

DATE: JULY 18, 1994

RE: TRANSFER NO. 4394 FOR A02-07172K (CURTIS)

This is a memo of explanation. The applicant seeks to install a Snake River pump on property recently purchased. The site is the west half of Lot 1, Block 33 of Fruitdale Subd. in Elmore County, and the acreage is now known as Parcel 1A. It includes 3.15 acres.

Previous owners (Corley) filed SRBA claims A02-07172K & L, each for three acres in Lot 1, Block 33. Prior to splitting the lot into two parcels, Lot 1 was about 6.4 acres. The two claims each include a deed describing Lot 1 but not further designating which portion of the lot is covered by which claim. Without contacting the Corleys, it cannot be definitely stated which claim goes with which parcel, now known as Parcels 1A & 1B.

For lack of a better method, claim K was selected to represent Parcel 1A in the change of ownership and transfer application processes. Therefore, let claim L be associated with Parcel 1B. This can be corrected if necessary at a later date in the SRBA.

Note the claim information regarding rate of flow, season of use and point of diversion. The claim shows .066 cfs for two acres. However, the parent right (02-07172) was licensed for 5.98 cfs for 299 acres at a rate of .02 cfs/acre. Three acres claimed in K should be allowed .06 cfs despite the .066 cfs shown on page 1 of the transfer. Also, the season was claimed as 3/15-11/15 but is more currently defined as 4/1-10/31. The P/D is claimed as G.L. 6 (NWNESE) which is a QQ listed in the original license. The applicant stated that the old pump site in this QQ was relocated a number of years ago (about 15 yrs.?) to a point about one-half mile downstream. That downstream point serves a common pipeline system for many of the acres under the license according to the applicant. Therefore, the transfer seeks to restore a site at/near the original site by the applicants' property.

The transfer could be filed on the entire license to show that portion now owned by the applicants and the new pump to be used. On the other hand, the license is claimed in a number of split claims (currently A through N). One problem with filing the transfer on the license instead of just the portion of the right in question is that the result can be water right splits where suffixes are not aligned with SRBA splits (so W.R. 02-07172B would equal A.J. A02-07172K). Because the potential for other transfers exists with numerous owners and due to the limited item with which we are dealing, it seems more appropriate to file the transfer on A02-07172K rather than on the license.

SEP 19 1996

Attachment D
(2 pgs)

T.4394

Memo 7/18/94

Page 2

The advertisement can show that an old pump site in NWNESE will be restored by use of a new pump on/near QQQ line for Parcel 1A of subdivision. Since we do not know if any diversion is currently used for the licensed P/D in NESE S.2, it seems prudent to advertise a transfer for the new diversion instead of just assuming that, after this action, one P/D will be operated in the QQ in question. This will avoid any problems associated with more than one P/D in NESE S.2.

c: Region Files A02-07172K & L

MICROFILMED

SEP 19 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

COMPLETED in
office 7/18/94
-SL

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 65 Range 8E
Section 02, NW 1/4 of NE 1/4 of SE 1/4, Govt. Lot 06, BM.
Lot 1A, Block, 33, Subdivision/Townsite Fruitland Subd.
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[X] Water Right Number(s)
Assigned by IDWR: A02-07172K

[X] Name and Address of Former Owner/Claimant(s)(Seller): Cecil T. & Ardith Conley
PO Box 81

[X] New Owner/Claimant (Purchaser): GLADDALE UT 84729
GARY C. & Julie A. Curtis

[X] New Mailing Address: 3320 S. 26th E.
Mtn. Home, ID 83647

[X] New Telephone Number: () 587-5865

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

NOTE: FORMER CLAIMANTS FILED A02-07172 K & L, each for

3 acres* in Lot 1 BL 33. NOT CLEAR WHICH CLAIM RELATES

TO 3 ACRES NOW OWNED BY CURTIS. THE NEW OWNERS' 3 ACRES

IS IN PARCEL 1A OF Lot 1 BL 33. CAN DETERMINE AT LATER DATE
IF CLAIM K OR L RELATES TO LOT

[X] Attach proof of ownership, describe proof attached: Warranty Deed

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

[X] Signature of New Owner/Claimant(s): Julie A. Curtis Date 7/18/94

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/19/1994 By: ITM ^{to DAKINS}

Further Action Needed:

Proof of ownership from Van Handel to CURTIS

Further Action Taken

CONTACT W/ CURTIS

Final Review and Data-Entry

Date: 12/30/1994 By: ITM

Claim Numbers of Split, if any:

* actually 3.15 acres, SEE DEED

ALSO SEE 7/18/94 memo copied from
T. 4394 application.

MICROFILMED

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

SEP 19 1996

WARRANTY DEED

FOR VALUE RECEIVED

Janis A. Dakins, a single person

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Gary C. Curtis and Julie A. Curtis, husband and wife

GRANTEE(S), whose current address is: Box R 415, APO, AE 09802-0415
the following described real property in Elmore
more particularly described as follows, to wit:

County, State of Idaho,

(Continued)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever, except those of record.

Dated March 29, 1994

Janis A. Dakins
Janis A. Dakins

STATE OF IDAHO)
) ss.
COUNTY OF ELMORE)

On this 29th day of MARCH In the
year 19 94, before me, Notary Public, personally
appeared VIRGINIA JOHNSON

is subscribed to the within instrument as the attorney
in fact of GARY C. CURTIS & JULIE A. CURTIS
and acknowledged to me
that they subscribed the name of VIRGINIA JOHNSON
thereto as principal, and in their own name as attorney
in fact.

Sheryl A. Leysner
NOTARY PUBLIC
RESIDING AT MOUNTAIN HOME
EXPIRES 12-17-99

WITNESSETH, That the said parties of the first part, for and in consideration of the sum
TEN AND NO/10. - - - - - DOLLAR
lawful money of the United States of America, and other good and valuable consideration to them in hand paid by the said
party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party
of the second part, and to his heirs and assigns forever, all of the following described real estate
situated in the County of Elmore, State of Idaho, to-wit:

PARCEL 1-A

A parcel of land in Lot 1, Block 33 and a portion of a certain un-named vacated road in the Fruitland Subdivision, Section 2, Township Six South, Range Eight East, Boise Meridian, Elmore County, Idaho and being more specifically described as follows:

Commencing at the East Quarter Corner of Section Two, Township Six South, Range Eight East, Boise Meridian, a distance of 25.00 feet on a bearing of South 89°59'06" West; thence a distance of 30.00 feet on a bearing of South 0°05'45" East; thence a distance of 1010.40 feet on a bearing of South 89°59'06" West to the REAL POINT OF BEGINNING;

Thence from this REAL POINT OF BEGINNING and continuing a distance of 246.42 feet on a bearing of South 89°59'06" West;

Thence a distance of 578.98 feet on a bearing of South 0°06'07" East;

Thence a distance of 184.98 feet on a bearing of North 79°51'24" East;

Thence a distance of 65.02 feet on a bearing of North 81°11'24" East;

Thence a distance of 536.51 feet on a bearing of North 0°06'07" West to the REAL POINT OF BEGINNING.

The above described parcel of land contains an area of 3.15 acres.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

DEED OF GIFT

THIS INDENTURE, Made this 16th day of November, 1993, between
STEVEN W. KOIRE and LINDA A. KOIRE, husband and wife, Grantors, and
JANIS A. DAKINS, a single woman, Grantee, whose address is
3029 Windstream, Boise, Idaho 83706.

W I T N E S S E T H:

That the said Grantors for and in consideration of the love,
affection and duty which the said Grantors, have and bear unto
the said Grantee and also for the better maintenance, support,
protection and livelihood of the said Grantee, does by these
presents give, grant and convey unto the said Grantee and to their
heirs and assigns forever, all right, title and interest of the
Grantors in and to the following described real property situate
in Elmore County, Idaho, it wit:

PARCEL 1-A

A parcel of land in Lot 1, Block 33 and a portion of a certain
un-named vacated road in the Fruitland Subdivision, Section 2,
Township Six South, Range Eight East, Boise, Meridian, Elmore
County, Idaho and being more specifically described as follows:

Commencing at the East Quarter Corner of Section Two, Township
Six South, Range Eight East, Boise, Meridian, a distance of 25.00
feet on a bearing of South 89°59'06" West; thence a distance of
30.00 feet on a bearing of South 0°05'45" East; thence a distance
of 1010.40 feet on a bearing of South 89°59'06" West to the REAL
POINT OF BEGINNING:

Thence from this REAL POINT OF BEGINNING and continuing a distance of 246.42 feet on a bearing of South 89°59'06" West;

Thence a distance of 578.98 feet on a bearing of South 0°06'07" East;

Thence a distance of 184.98 feet on a bearing of North 79°51'24" East;

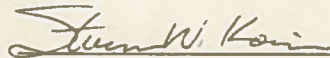
Thence a distance of 65.02 feet on a bearing of North 81°11'24" East;

Thence a distance of 536.51 feet on a bearing of North 0°06'07" West to the REAL POINT OF BEGINNING.

The above described parcel of land contains an area of 3.15 acres.

To Have and to Hold, All and singular the said premises, together with the appurtenances, unto the said Grantee, their heirs and assigns forever.

In Witness Whereof, the Grantors have hereunto set their hand the day and year first above written.



STEVEN W. KOIRE - GRANTOR



LINDA A. KOIRE - GRANTOR

ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA
County of SACRAMENTO

On 11/16/93 before me, Sandra Baker-Notary Public
NAME, TITLE OF OFFICER - E.G. "JANE DOE, NOTARY PUBLIC"

personally appeared Linda A. Koire & Steven W. Koire
NAME(S) OF SIGNER(S)

☐ 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.

Sandra Baker
SIGNATURE OF NOTARY

OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER

Though statute does not require Notary to fill in the date below, doing so may prove invaluable to persons relying on the document.

- ☒ INDIVIDUAL
☐ CORPORATE OFFICER(S)
TITLE(S)
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(ES)
N/A

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

Title or Type of Document Deed of Gift
Number of Pages 2 Date of Document 11-16-93
Signer(s) Other than Named Above N/A

3214 (12/92)

278479

ELMORE COUNTY, IDAHO, ss

Request of Les Taylor

Time 1:39 P.M.
Date January 14, 1994
Book _____ of _____
Page _____

DOLORES ROBISON
By Merle E. Zucker

Deputy
Fee \$ 9.00

DEED OF GIFT

THIS INDENTURE, Made this 24 day of August, 1991, between WILLIAM J. VANHANDEL, a single man, Grantor, and STEVEN W. KOIRE and LINDA A. KOIRE, husband and wife, Grantees, whose address is 3222 Brookwood Road, Sacramento, California 95821,

W I T N E S S E T H:

That the said Grantor, for and in consideration of the love, affection and duty which the said Grantor has and bears unto the said Grantees and also for the better maintenance, support, protection and livelihood of the said Grantees, does by these presents give, grant and convey unto the said Grantees and to their heirs and assigns forever, all right, title and interest of the Grantor in and to the following described real property situate in Elmore County, Idaho, to wit:

PARCEL 1-A

A parcel of land in Lot 1, Block 33 and a portion of a certain un-named vacated road in the Fruitland Subdivision, Section 2, Township Six South, Range Eight East, Boise Meridian, Elmore County, Idaho and being more specifically described as follows:

Commencing at the East Quarter Corner of Section Two, Township Six South, Range Eight East, Boise Meridian, a distance of 25.00 feet on a bearing of South 89°59'06" West; thence a distance of 30.00 feet on a bearing of South 0°05'45" East; thence a distance of 1010.40 feet on a bearing of South 89°59'06" West to the REAL POINT OF BEGINNING:

MICROFILM

Thence from this REAL POINT OF BEGINNING and continuing a distance of 246.42 feet on a bearing of South 89°59'06" West;

Thence a distance of 578.98 feet on a bearing of South 0°06'07" East;

Thence a distance of 184.98 feet on a bearing of North 79°51'24" East;

Thence a distance of 65.02 feet on a bearing of North 81°11'24" East;

Thence a distance of 536.51 feet on a bearing of North 0°06'07" West to the REAL POINT OF BEGINNING.

The above described parcel of land contains an area of 3.15 acres.

To Have and to Hold, All and singular the said premises, together with the appurtenances, unto the said Grantees, their heirs and assigns forever.

In Witness Whereof, the Grantor has hereunto set his hand the day and year first above written.


WILLIAM J. VANHANDEL - GRANTOR

STATE OF CALIFORNIA)
County of Sacramento) ss.

On this 24th day of August, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM J. VANHANDEL, a single man, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



Sherrill Lee Wasson
Notary Public for California
Residing at: 9250 Greenback Ln. Oakdale, CA 95362
My Commission Expires: June 30, 1995

265181

ELMORE COUNTY, IDAHO, ss

Request of

Mary McEnnis

Time 2:12 P.M.

Date August 29, 1991

Book _____ of _____

Page 1

By Debra M. Fye

Deputy

Fee 9.00

GIFT OF DEED

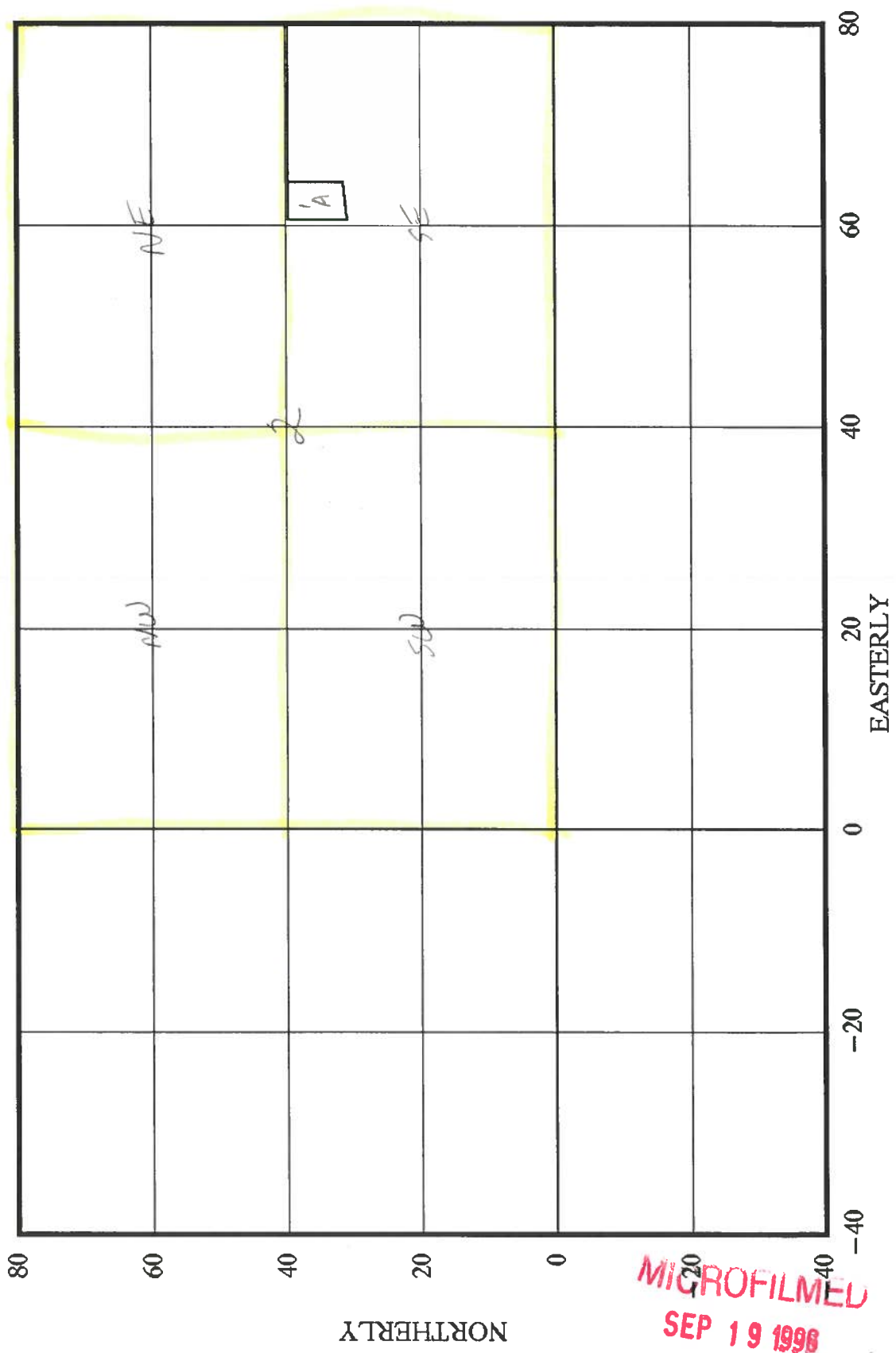
DAKINS → CURTIS

LOT 1A

02-07172 K by ALLOCATIONS

PARCEL PLOT - METES & BOUNDS

DISTANCE IS IN CHAINS



MICROFILMED
SEP 19 1996

CURTIS Reed

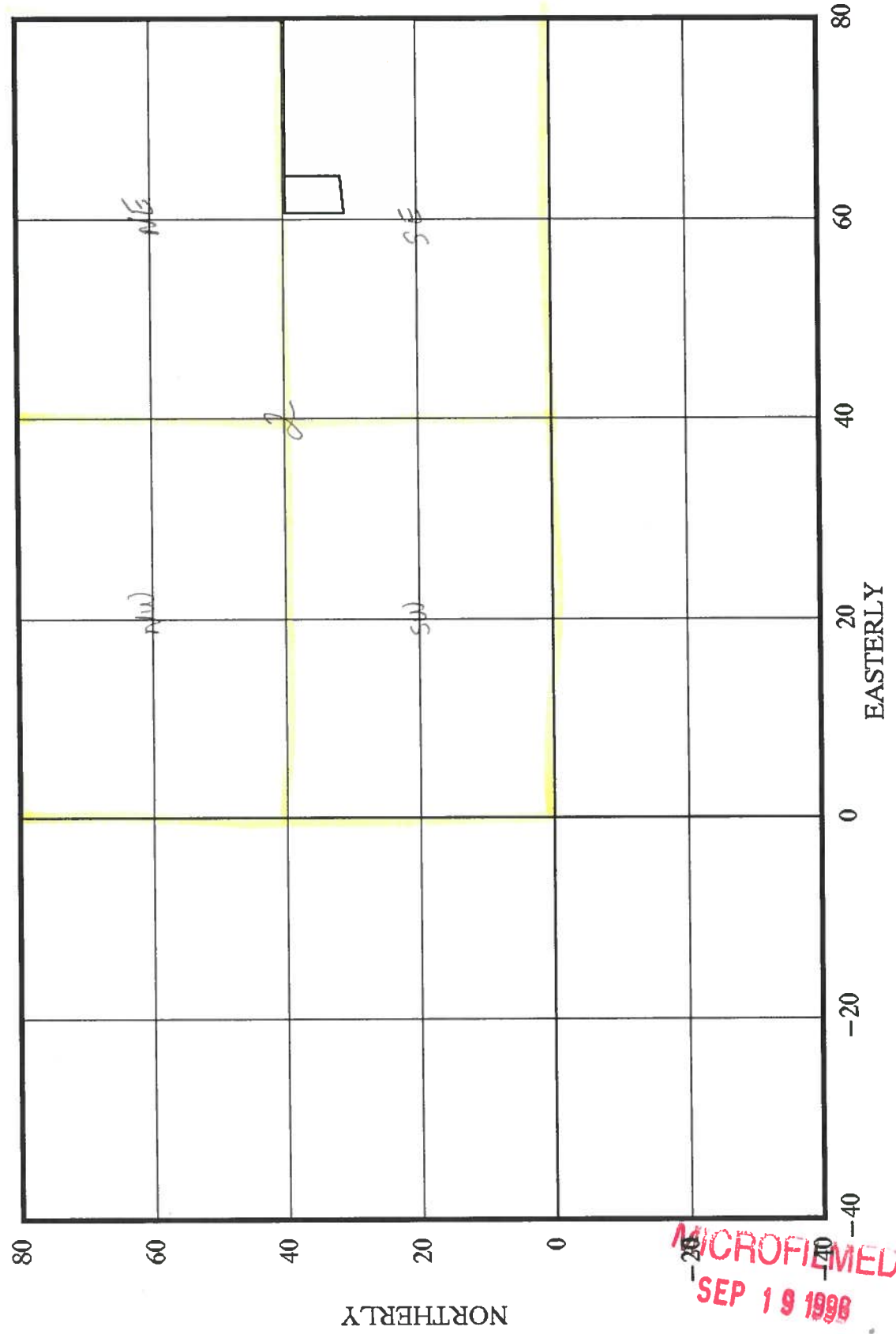
80.00	40.00					-0.00
79.62	40.00	89.00	59.00	6.00 sw	25.00	0.02
79.63	39.55	0.00	5.00	45.00 se	30.00	-0.00
64.32	39.57	89.00	59.00	6.00 sw	1010.40	-0.01
60.59	39.57	89.00	59.00	6.00 sw	246.42	17.01
60.62	30.80	0.00	6.00	7.00 se	578.98	16.15
63.38	31.28	79.00	51.00	24.00 ne	184.98	15.92
64.36	31.42	81.00	11.00	24.00 ne	65.02	3.19
64.32	39.55	0.00	6.00	7.00 nw	536.51	3.19
64.32	39.55	0.00	0.00	0.00	0.00	3.19

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SEP 19 1956

VAN HANDEL → KOIRE → DAKINS

PARCEL PLOT - METES & BOUNDS

DISTANCE IS IN CHAINS



8661 6 1 SEP 1998 MICROFILMED

12/29/1994

VAN Handel- KOIRE- DAKINS

80.00	40.00					-0.00
79.62	40.00	89.00	59.00	6.00 sw	25.00	0.02
79.63	39.55	0.00	5.00	45.00 se	30.00	0.01
64.32	39.55	89.00	56.00	6.00 sw	1010.40	0.00
60.59	39.56	89.00	59.00	6.00 sw	246.42	17.02
60.62	30.79	0.00	6.00	7.00 se	578.98	16.16
63.38	31.26	79.00	51.00	24.00 ne	184.98	15.93
64.36	31.41	81.00	11.00	24.00 ne	65.02	3.20
64.32	39.54	0.00	6.00	7.00 nw	536.51	3.20
64.32	39.54	0.00	0.00	0.00	0.00	3.20

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: A02-07172K
Date Received: 11/28/1989
Receipt No: C013061
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CECIL T. CORLEY 801-648-2221
Address: P.O. BOX 81
GLENDALE, UT 84729

Name: ARDITH CORLEY 801-648-2221
Address: P.O. BOX 81
GLENDALE, UT 84729

2. Date of Priority: OCT 21, 1974

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
06S	08E	2	NW	NE	SE	6	ELMORE

5. Description of diverting works:
5HP PUMP WITH PIPELINE & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.066		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

MICROFILMED

AUG 10 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	08E	2	NE	SE	6	IRR	3.0
Section Acres							3.0
Total Acres							3.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
N/A

14. Remarks:

SPLIT RIGHT PLEASE SEE A02-07172E. JDC.

SPLIT SEVERAL TIMES IN THE A02- ADJ. THERE WERE 3 A,B, & C.

NOW THERE ARE A, D, E, F & G ASSIGNED IN THE SRBA AS OF 11-08-89
FOR ASSIGNMENT OF SPLITS.

SEE A02-07172G FOR THE BASE PORTION CLAIMED BY EVAN E. KOHTZ.

SEE A02-07172H, 0.06 CFS, 3 AC

SEE A02-07172J, 0.066, 3 AC

15. Basis of Claim: LICENSE

MICROFILMED

AUG 10 1992

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[☒] Water Right Number(s): A02-07172K & A02-07172L

[] Name and Address of
Former Claimant(s): William J. Van Handel
9237 Greenback Ln. #108
Orangevale, CA. 95662

[] New Claimant(s): _____

[] New Mailing Address: _____

New Telephone Number: () _____ - _____

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

[] Attach proof of ownership
Describe proof attached: _____
(Proof of ownership must describe either the property
conveyed or include the claim number. Proof of ownership is
not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): Paul J. Carley

Date: 6-19-91

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): _____

Date: _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

INCLUDE THIS INFO :

LOT =

Block =

Subdivision =

WARRANTY DEED

For Value Received

WILLIAM J. VAN HANDEL, a single man
AKA WILLIAM VAN HANDEL

The grantor, does hereby grant, bargain, sell and convey unto

CECIL T. CORLEY AND ARDITH J. CORLEY, husband and wife
the grantee s, whose current address is P.O. Box 81, Glendale, UT 84729

the following described premises, in Elmore County Idaho, to-wit:

A parcel of land in Lot One, Block Thirty-Three and a portion of a certain un-named vacated road in the Fruitland Subdivision, Section Two, Township Six South, Range Eight East, Boise Meridian, Elmore County, Idaho, and being more specifically described as follows:

Commencing at the East Quarter Corner of Section Two, Township Six South, Range Eight East, Boise Meridian, a distance of 25.00 feet on a bearing of South 89°59'06" West; thence a distance of 30.00 feet on a bearing of South 0°05'45" East; thence a distance of 741.40 feet on a bearing of South 89°59'06" West to the REAL POINT OF BEGINNING;

Thence from this REAL POINT OF BEGINNING and continuing a distance of 269.00 feet on a bearing South 89°59'06" West;

Thence a distance of 536.51 feet on a bearing of South 0°06'07" East;

Thence a distance of 272.12 feet on a bearing of North 81°11'24" East to the East boundary of said Lot One, Block Thirty-Three;

Thence along this said East boundary a distance of 494.90 feet on a bearing of North 0°05'58" West to the REAL POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances except those of record.

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 5, 1990

William Van Handel
WILLIAM VAN HANDEL

by Mary McInnis, his attorney in fact

MICROFILMED

AUG 10 1992

STATE OF IDAHO
COUNTY OF ELMORE

On this 7TH day of MARCH In the year 19 90, before me, a Notary Public, personally appeared MARY MCINNIS

known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of WILLIAM VAN HANDEL, and acknowledged to me that She subscribed the name of WILLIAM VAN HANDEL thereto as principal, and his (her) own name as attorney in fact.

Notary Public
Residing at MOUNTAIN HOME, Idaho
COMM. EX-28-93

STATE OF IDAHO, COUNTY OF Elmore

I hereby certify that this instrument was filed for record at the request of WILLIAM VAN HANDEL

at 16 minutes past 4:00 o'clock P.M.,
this 7th day of March, 1990.
in my office, and duly recorded in Book of Deeds at Page

RAMONA YRAZABAD

Ex-Officio Recorder

By *Maria F. Becker*

Deputy

Fees \$ 3.00

INSTRUMENT NO.

257845

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: A02-07172K
Date Received: 11/28/1989
Receipt No: C013061
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM J. VAN HANDEL 916-988-8572
Address: 9237 GREENBACK LN. #108
ORANGEVALE, CA 95662

2. Date of Priority: OCT 21, 1974

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
06S	08E	2	NW	NE	SE	6	ELMORE

5. Description of diverting works:
5HP PUMP WITH PIPELINE & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.066		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	08E	2	NE	SE	6	IRR	3.0
Section Acres							3.0

A02-07172K

Page 1

Date: 11/28/89

MICROFILMED
AUG 10 1992

100 NDE SEC



MICROFILMED
AUG 10 1952

10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
N/A

14. Remarks:

SPLIT RIGHT PLEASE SEE A02-07172E. JDC.

|
SPLIT SEVERAL TIMES IN THE A02- ADJ. THERE WERE 3 A,B, & C.

|
NOW THERE ARE A, D, E, F & G ASSIGNED IN THE SRBA AS OF 11-08-89
FOR ASSIGNMENT OF SPLITS.

|
SEE A02-07172G FOR THE BASE PORTION CLAIMED BY EVAN E. KOHTZ.

|
SEE A02-07172H, 0.06 CFS, 3 AC

|
SEE A02-07172J, 0.066, 3 AC

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: 1

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): William J. Van Handel Date: 11-28-89
by Mary M. Jance Date: _____

State of Idaho)
County of BOA) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of NOVEMBER 19 89
Donna E. Lutz
Notary Public

Seal

Residing at BOISE, ID
My Commission Expires 11/08/1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

January 4, 1995
CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

ARDITH CORLEY
CECIL T CORLEY
PO BOX 81
GLENDALE UT 84729

RE: Notices of Claim to a Water Right Nos. A02-07172K & A02-07172L

Dear Ms. and Mr. Corley:

This letter is to notify you that this office has been notified of a change of ownership for the property for which claim no. A02-07172L is appurtenant (Parcel 1B, lot 1, block 33, Fruitland subdivision, in Elmore county, Idaho). You are listed as the current owner of this claim; IDWR is attempting to contact the new owners in order to update our records.

This office had previously notified you that we changed the ownership to your names for both of the above-referenced claims. Based on information submitted to this office in regard to the change of ownership of Parcel 1A, lot 1, block 33, Fruitland subdivision, it appears that you have never owned the property appurtenant to claim no. A02-07172K, which is for Parcel 1A. This office has corrected the error.

In summary, this office notified you that we had changed the ownership of both claim no. A02-07172K (Parcel 1A) and no. A02-07172L (Parcel 1B). However, it appears that you owned only Parcel 1B, and that you have since sold this property. A letter has been sent to the new owners of Parcel 1B, requesting information. The ownership of the water right for Parcel 1A has been corrected and updated.

If you have any questions about this letter, please do not hesitate to contact this office.

Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

MICROFILMED
SEP 19 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Date: December 30, 1994

Re: Notice of Claim No(s). A02-07172K

[GARY CURTIS C/O MDS
JULIE C CURTIS
BOX R-415
UNIT 61201
[APO AE 09802-0415]]

Dear Claimant(s):

Enclosed is a copy(s) of the above referenced claim(s) which reflects the change in ownership of the land and appurtenant water right(s) to you.

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

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

Sincerely,

ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

Enclosure(s)

**** NOTE: THIS PROPERTY, PARCEL 1A, DOES NOT APPEAR TO HAVE BEEN OWNED BY CORLEY. CORLEY BOUGHT PARCEL 1B, AND APPARENTLY HAS SINCE SOLD IT TO ANOTHER PARTY. PARCEL 1A, (CLAIM NO. A02-07172K) WENT FROM VAN HANDEL, TO KOIRE, TO DAKINS, TO CURTIS ****

MICROFILMED
SEP 19 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 19, 1994

GARY C CURTIS
JULIE A CURTIS
3320 S 26TH E
MOUNTAIN HOME ID 83647

RE: Notice of Claim to a Water Right No. A02-07172K

Dear Mr. and Ms. Curtis:

This office has received a change of ownership form for the Snake River Basin Adjudication (SRBA) claim referenced above. This form was received in conjunction with the transfer number 4394, which was filed in order to change the point of diversion of your water right.

In order to continue to process the change of ownership additional information is required. The SRBA claim was originally filed by Mr. William J. Van Handel. The warranty deed which you submitted indicates that you bought the property from Ms. Janis A. Dakins. In order to change the ownership on the SRBA claim, you must provide evidence of ownership from Van Handel to Dakins. The title company or the county recorder's office should be able to provide this information to you.

If no response to this letter is received, the SRBA claim will remain in the name of the original claimant. All notices, legal and otherwise, are sent to the current owner of the claim as indicated by IDWR records.

Please send the requested documentation directly to this office, to my attention. If you have any questions or need additional information, please do not hesitate to contact this office.

Sincerely,

Maria Minicucci

Water Agent, Adjudication Bureau

MM:m

MICROFILMED
SEP 19 1996

To Whom it May Concern

I am sending legal
description and map
of property I have
recently purchased

I am interested in
applying for Water
Rights. I need to
know who currently
holds them and how
I go about getting
them.

Thank you
Julie Curtis
587-5865

RECEIVED

JUN 27 1994

WATER RESOURCES
WESTERN REGION

3320 S. 26th
Mt Home, Id
83647

was - Travis Darkin

was - Grant Kohls
Shi

MICROFILMED
SEP 19 1996

was in, before but not now
(factual)

SP

MEMORANDUM

TO: FILE

FROM: STEVE LESTER *SL*

DATE: JULY 18, 1994

RE: TRANSFER NO. 4394 FOR A02-07172K (CURTIS)

This is a memo of explanation. The applicant seeks to install a Snake River pump on property recently purchased. The site is the west half of Lot 1, Block 33 of Fruitdale Subd. in Elmore County, and the acreage is now known as Parcel 1A. It includes 3.15 acres.

Previous owners (Corley) filed SRBA claims A02-07172K & L, each for three acres in Lot 1, Block 33. Prior to splitting the lot into two parcels, Lot 1 was about 6.4 acres. The two claims each include a deed describing Lot 1 but not further designating which portion of the lot is covered by which claim. Without contacting the Corleys, it cannot be definitely stated which claim goes with which parcel, now known as Parcels 1A & 1B.

For lack of a better method, claim K was selected to represent Parcel 1A in the change of ownership and transfer application processes. Therefore, let claim L be associated with Parcel 1B. This can be corrected if necessary at a later date in the SRBA.

Note the claim information regarding rate of flow, season of use and point of diversion. The claim shows .066 cfs for two acres. However, the parent right (02-07172) was licensed for 5.98 cfs for 299 acres at a rate of .02 cfs/acre. Three acres claimed in K should be allowed .06 cfs despite the .066 cfs shown on page 1 of the transfer. Also, the season was claimed as 3/15-11/15 but is more currently defined as 4/1-10/31. The P/D is claimed as G.L. 6 (NWNESE) which is a QQ listed in the original license. The applicant stated that the old pump site in this QQ was relocated a number of years ago (about 15 yrs.?) to a point about one-half mile downstream. That downstream point serves a common pipeline system for many of the acres under the license according to the applicant. Therefore, the transfer seeks to restore a site at/near the original site by the applicants' property.

The transfer could be filed on the entire license to show that portion now owned by the applicants and the new pump to be used. On the other hand, the license is claimed in a number of split claims (currently A through N). One problem with filing the transfer on the license instead of just the portion of the right in question is that the result can be water right splits where suffixes are not aligned with SRBA splits (so W.R. 02-07172B would equal A.J. A02-07172K). Because the potential for other transfers exists with numerous owners and due to the limited item with which we are dealing, it seems more appropriate to file the transfer on A02-07172K rather than on the license.

MICROFILMED

SEP 19 1996

T.4394

Memo 7/18/94

Page 2

The advertisement can show that an old pump site in NWNESE will be restored by use of a new pump on/near QQQ line for Parcel 1A of subdivision. Since we do not know if any diversion is currently used for the licensed P/D in NESE S.2, it seems prudent to advertise a transfer for the new diversion instead of just assuming that, after this action, one P/D will be operated in the QQ in question. This will avoid any problems associated with more than one P/D in NESE S.2.

c: Region Files A02-07172K & L

MICROFILMED
SEP 19 1996