

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: A02-07172N
Date Received: 11/ 8/1989
Receipt No: X777777
Received By: de Fal

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

1. Name: DORIAN DUFFIN 208-853-5005
Address: 7840 APACHE WAY
BOISE ID 83703
OR
Name: SUSANNE VADER 208-853-5005
Address: 7840 APACHE WAY
BOISE ID 83703

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	1	NW	SW		7	ELMORE

5. Description of diverting works:
PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.220		44.00

7. Total Quantity Appropriated is:
0.220 C.F.S. (and/or) 44.00 A.F.A.

8. Total consumptive use is 33.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	08E	1	NW SW	7	IRR	11.0
Section Acres						11.0
Total Acres						11.0

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:
NONE

14. Remarks:

THIS CLAIM REPRESENTS A PORTION OF LICENSE 02-07172 & 02-07172G.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. 02-07172G, FEE PAID UNDER RECEIPT NO. M005180.
RDH 02-18-94.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

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State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water Right Number - A02-07172d **N** Prefix Translation: ADJUDICATION CLAIM Old (D) Number - **NFW**
Last Name - First Name - Address - RECEIPT # **X777777**

*** C - CURRENT OWNER ***
KOHTZ

Duffin, DORIAN
VADER, SUSANNE
7840 APACHE WAY
BOISE ID 83703
ALICE J
(208) 853-5005

1 -
2 -
3 -
City- HAMMETT
Phone - 208-366-2466

State- ID Zip- 83627

1 -
2 -
3 -
City- HAMMETT
Phone - 208-366-2466

State- ID Zip- 83627

*** O - ORIGINAL OWNER ***
HELLER

1 -
2 -
3 -
City- XXXXXX
Phone - 208-000-0000

State- ID Zip- 000000

Priority Date - 10/21/1974 Region - ERROR IN REGION Stage - Status -
10/21/1974 Z - SEE REMARKS

Source - SNAKE RIVER
SPLIT CLAIM Tributary - COLUMBIA RIVER
SEE REMARKS

Point of Diversion -

**Sec 1, NW5W Lot 7 (PID 15 FROM ORIGINAL LICENSE)
NO TRANSFER NEEDED!**

06S 08E 2 SE NE SW
NE NE SE

(39) ELMORE
(39) ELMORE

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 5.600 .22 cfs

Total Div. Rate - 5.600 Total Div. Volume - 1279.00
5.600 1279.00 44 AFA

+ - Total Consumptive Use - 840.0
840.0 33

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	08E	1	SW NW	40.0	01	01	IRRIGATION	(39) ELMORE
06S	08E	1	NE SW	7	3.0	01	IRRIGATION	(39) ELMORE
06S	08E	1	NW SW	7	11.0	01	IRRIGATION	(39) ELMORE
06S	08E	2	NE NE	1	40.0	01	IRRIGATION	(39) ELMORE
06S	08E	2	NW NE	2	40.0	01	IRRIGATION	(39) ELMORE
06S	08E	2	SE NE	40.0	01	IRRIGATION	(39) ELMORE	(39) ELMORE
06S	08E	2	SE NE	40.0	01	IRRIGATION	(39) ELMORE	(39) ELMORE
06S	08E	2	SE NW	28.0	01	IRRIGATION	(39) ELMORE	(39) ELMORE

PRO RATE : CFS = (11 AC)(0.02) = .22 cfs
DUOL = (11 AC)(4) = 44 AFA

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Water right number - A02-07172G

Prefix Translation: ADJUDICATION CLAIM

Trn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
065	08E	2	NE SW	5	10.0	01	IRRIGATION	(39) ELMORE
065	08E	2	NE SE	6	14.0	01	IRRIGATION	(39) ELMORE
065	08E	2	NW SE	6	14.0	01	IRRIGATION	(39) ELMORE

Total Acres: 280.0-11 ACRES

- - - Diversion Means - 2 PUMPS 75 & 100 HP HANDLINES

- - - Non-Irrigation Use - NONE

- - - Other Rights for Same Use - NONE

THIS CLAIM REPRESENTS A PORTION OF LICENSE 02-07172.
THIS CLAIM COVERS 280 OF THE ORIGINAL 299 ACRES. CLAIMANT OWNS
252 OF THE ACRES AND HOLDS THE CONTRACT ON THE REMAINING 28 ACRES
CLAIMANT WISHES TO ASSURE THE PROTECTION OF THE WATER RIGHT ON
THOSE LANDS FOR WHICH CONTRACTS ARE HELD.
THE LANDS UNDER CONTRACT ARE: 14 ACRES IN THE NE SE SECTION 2;
11 ACRES IN THE NW, SW SECTION 1 AND 3 ACRES IN THE NE, SW SECTION
1.
THIS CLAIM HAS BEEN GIVEN A \$10.00 CREDIT FOR FEES PAID IN THE
02 ADJUDICATION (ON CLAIM A02-07172A).
SEE NOS. 02-07172M & 02-07172N.

This claim is a result of a change
in ownership for a portion of
claim No. A02-07172G, FEE PAID
UNDER RECEIPT NO. M005180,
Rdn 2-18-94.

- - - A020712 - A02-07172G - Old Water Right Numbers - - -

- - - Conditions of Approval - - -
No Conditions of Approval found.

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

- - - Comments - - -
No Comments Found

OWNERSHIP FLAG TO (Y)

- - - Audit Fields - - - +
02/22/94 HOWERTON

- - - Adjudication Rights Dates and Flags Area - - -

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	02/22/1994	Old Judicial District	-	P
Claim Received Date	-	11/08/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	
			Receipt Number	-	M005180	Water District	-	

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Water right number - A02-07172G

Prefix Translation: ADJUDICATION CLAIM

+ Adjudication Rights Dates and Flags Area +

POU Ownership Flag	- N	Federal/State Indicator	- S
Name Connector	- OR	Presumption Flag	-
		Notice of Error Flag	-

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Page 1
ORIGINAL FROM TO SPLITS

Water Right Number - A02-07172	Prefix Translation:	ADJUDICATION CLAIM	Old (D) Number -
----- Last Name ----- +	+ - First Name - - +	+ - - - - Address - - - - +	

*** C - CURRENT OWNER ***
SPLIT RIGHT

1 -
2 -
3 -
City- xxxxxxxx
Phone - 208-000-0000
State- ID Zip- 00000

*** 0 - ORIGINAL OWNER ***
KOHTZ

EVAN E.

2 -
3 -
City- HAMMETT
Phone - 208-000-0000
State- ID Zip- 83627

HELLER

MYRRL

State- ID Zip- 000000

City- XXXXXX
Phone - 208-000-0000

+ - - Priority Date	- +
	10/21/1974
	ERROR IN REGION
+ - - Region	- - - +
	Stage
	- - - +
	Status
	- - - +
Z - SEE REMARKS	

+ Source +
SNAKE RIVER
+ Tributary +
COLUMBIA RIVER

Town	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
------	-----	-----	-------	-----	------	--------	--------------------

06S	08E	1	NE SW	7	(39)	ELMORE
			NW SW <td>7 <td>(39)</td> <td>ELMORE</td> </td>	7 <td>(39)</td> <td>ELMORE</td>	(39)	ELMORE
	2		NE SW <td>5 <td>(39)</td> <td>ELMORE</td> </td>	5 <td>(39)</td> <td>ELMORE</td>	(39)	ELMORE
			NE SE <td>6 <td>(39)</td> <td>ELMORE</td> </td>	6 <td>(39)</td> <td>ELMORE</td>	(39)	ELMORE
			NW SE <td>6 <td>(39)</td> <td>ELMORE</td> </td>	6 <td>(39)</td> <td>ELMORE</td>	(39)	ELMORE

P/D For N-Portion

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	6.560	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
5 980	1346.00	0.0	

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
06S	08E	1	SW NW		40.0		01 IRRIGATION	(39) ELMORE
06S	08E	1	NE SW	7	15.0		01 IRRIGATION	(39) ELMORE
06S	08E	1	NW SW	7	14.0		01 IRRIGATION	(39) ELMORE
06S	08E	2	NE NE	1	40.0		01 IRRIGATION	(39) ELMORE
06S	08E	2	NW NE	2	40.0		01 IRRIGATION	(39) ELMORE

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water right number - A02-07172
Prefix Translation: ADJUDICATION CLAIM

+ - - - - -				- - - - - Place of Use - - - - -				- - - - - County			
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description				
06S	08E	2	SW NE		40.0	01	IRRIGATION	(39)	ELMORE		
06S	08E	2	SE NE		40.0	01	IRRIGATION	(39)	ELMORE		
06S	08E	2	SE NW		28.0	01	IRRIGATION	(39)	ELMORE		
06S	08E	2	NE SW	5	14.0	01	IRRIGATION	(39)	ELMORE		
06S	08E	2	NE SE	6	14.0	01	IRRIGATION	(39)	ELMORE		
06S	08E	2	NW SE	6	14.0	01	IRRIGATION	(39)	ELMORE		

Total Acres: 299.0

+ - - Diversion Means - PUMP & SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
SUPPLEMENTAL TO KING HILL IRR. DIST. WTR.
TRANS. 2522.
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

+ - - - - - Old Water Right Numbers - - - - - +
A0207271G

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

+ - - - - -Comments- - - - - +
No Comments Found

+ - - Audit Fields - - +
00/00/00

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Water right number - A02-07172

Prefix Translation: ADJUDICATION CLAIM

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	P
Claim Received Date	-	08/01/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	
			Receipt Number	-	X777777	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-		Presumption Flag	-	
						Notice of Error Flag	-	

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum

2. Point of diversion $\frac{1}{4}$ Section Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use: _____

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 5.98 c.f.s. &/or _____ acre feet

b. Point(s) of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3 Township 6S
Range 9E, B.M., Elmore County (K.T.)

Additional points NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 2; NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 1, Twp 6S, R. 9E, S. 17.

c. Description of diverting works _____

d. Describe the reasons for applying for a change in the point(s) of diversion JOINED LOTS
ALONG THE RIVER & EACH HAS OWN PT. OF DIVERSION.
Each lot will receive share of water right.

2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>6S</u>	<u>9E</u>	<u>1</u>							<u>40</u>	<u>1.2</u>	<u>1.1</u>								<u>69</u>
		<u>2</u>	<u>2.1</u>	<u>1.2</u>	<u>40</u>	<u>40</u>				<u>28</u>	<u>1.5</u>				<u>1.6</u>	<u>1.6</u>			<u>231</u>

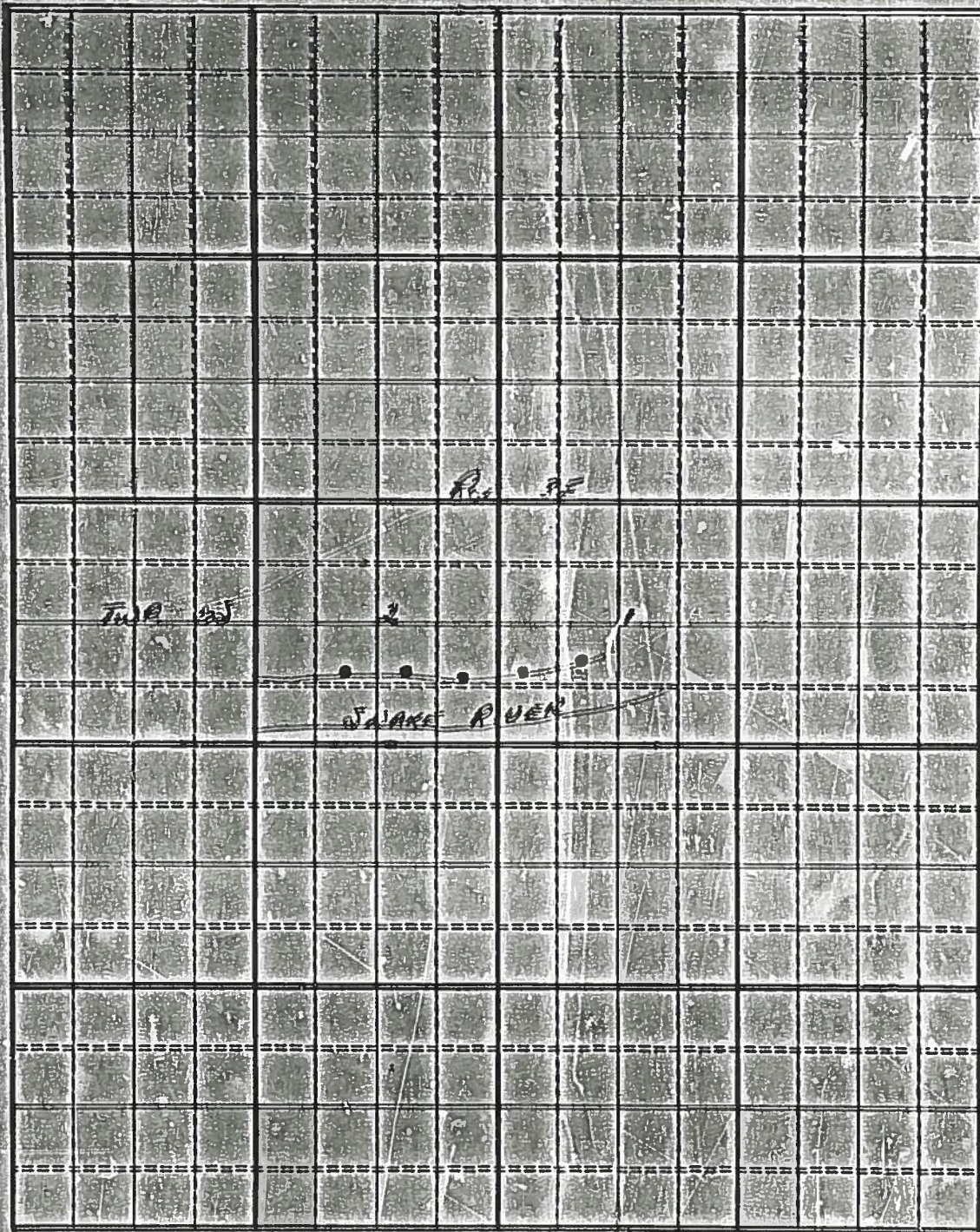
Total number of acres to be irrigated 299

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POOR ORIGINAL

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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APR 10 1994

POOR ORIGINAL

POOR ORIGINAL

4. Remarks _____

I hereby assert that no one will be injured by such change and 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.



(Signature of applicant)

Subscribed and sworn to before me this 3 day of MARCH, 1981.



(Notary Public)

My commission expires LIFE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 02-7172 and said application is hereby approved, subject to the following limitations and conditions:

Witness my hand this 16TH day of April, 1981.


NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by jc Date 4/2/81 Protest filed by ALMS
Prelim. check by _____ Fee 50.00
Received by ajw Date 3-3-81 # 311
Published in Owyhee Nugget Copies of protest forwarded by _____
Pub. dates 3/19 & 3/26 Hearing held by _____ Date _____
Watermaster recommendation requested on 4/10 Recommended for approval denial
_____ rec'd. _____ by DGS spin

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POOR ORIGINAL

License of Water Right No. 02-7172 Priority October 21, 1974 Amount 5.98 cfs

of Hammett, Idaho, has complied with the terms and conditions of Permit

No. 02-7172 issued pursuant to Application for Permit dated October 21, 1974

and has submitted proof to the Department of Water Resources on March 2, 1977

that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 6.60 cfs of water from Snake River

tributary to Columbia River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from February 1 to November 1	at 6.98 cfs and	1346 acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____
	(both dates inclusive)	at _____ cfs and	_____

Subject, however, to the condition that no more than 5.98 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1346 acre feet per year, said waters to be diverted within the NELSEY, NELSON, Sec. 2,
Twp. 6S, Rge. 8E, B.M. in the County of Elmore

Description and location of place of use:

Top.	Range	Sec.	NE¼				NW¼				SW¼				Total
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	8E	1						40			L.7	L.7			69
		2	L.1	L.2							L.5			L.6	230
			40	40	40	40				28	14			14	

Total number of acres irrigated 299

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of September 19 79.

Director

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 16 1992

Department of Water Resources
Western Regional Office

DATE OF CLOSING: 10-23-92

LEGAL DESCRIPTION OF PROPERTY: Township 6South Range 8 East
Section 1, NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot , BM.
Lot 1, Block, 32, Subdivision/Townsite Fruitland Sub

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

See attached Exhibit "A" for complete legal description

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: (See Attached)
- [] Name and Address of Former Owner/Claimant(s)(Seller): Cobbs & Mulvania, an Idaho general partnership
C/O Idaho Properties
326 North Orchard, Boise, Idaho 83706
- [] New Owner/Claimant (Purchaser): Dorian Duffin and Susanne Vader, Husband and Wife
- [] New Mailing Address: 7840 Apache Way
Boise, Idaho 83703
- [] New Telephone Number: (208) 853-5005 hm - 386-5251 wk

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

- [] Attach proof of ownership, describe proof attached: See attached

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

- [] Signature of New Owner/Claimant(s): Susanne L. Vader Date 12-4-92
 Date 12-4-92
- [] Signature of Former Owner/Claimant(s): Lyle B. Cobbs Date 10-20-92
Donna Cobbs Date 10-20-92

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

(See 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:

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

WARRANTY DEED

For Value Received

COBBS AND MULVANIA, an Idaho General Partnership

The grantor_s, do hereby grant, bargain, sell and convey unto

DORIAN DUFFIN and SUSANNE VADER, husband and wife

the grantee_s, whose current address is 7840 Apache Way, Boise, Idaho 83703

the following described premises, in

Elmore

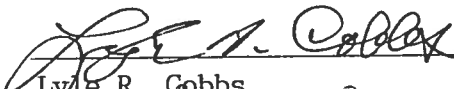
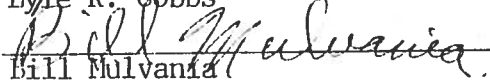
County Idaho, to-wit:

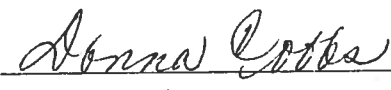
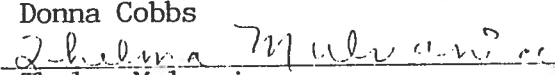
The West 826.5 feet of Lot 1, Block 32, Fruitland Subdivision, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho, together with all rights to any vacated streets adjoining subject property.

SAVE AND EXCEPT those portions of roadway deeded to the public as disclosed in Quit Claim Deed recorded December 8, 1977, as Instrument No. 177775, records of Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee_s, their heirs and assigns forever. And the said Grantor_s do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances EXCEPT 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 year 1992, which are not yet due and payable. and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: October 19, 1992


Lyle R. Cobbs

Bill Mulvania


Donna Cobbs

Thelma Mulvania

State of Idaho
County of Ada

On this 20th day of October in the year 1992.

271138

INSTRUMENT

WARRANTY DEED

For Value Received Evan E. Kohtz and Alice J. Kohtz, husband and wife,
and Myrri W. Heller, a widow,

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Idaho Properties
Co. ~~Company~~, an Idaho corporation, 326 N. Orchard
Boise, Idaho,

Hereinafter called the Grantee, the following described premises situated in Elmore County, Idaho,
to-wit:

All that certain real property described in Exhibit "A"
hereto, which exhibit is incorporated herein by this
reference;

Subject to the restrictive covenants set forth in
Exhibit "B" hereto, which exhibit is incorporated
herein by this reference, it being specifically
agreed between the parties that said restrictive
covenants shall run with the land and be binding
upon the Grantee and the Grantee's successors,
assigns, and transferees of any nature, forever;

Subject to an ~~easement reserved~~ in and to the Grantor
extending along the ~~(easterly)~~ side of said property
from the south boundary thereof to the north boundary
thereof, which easement shall be sufficient in width
for the installation, operation, and maintenance of
an irrigation mainline, the same to be used for such
purpose;

And, subject to the right reserved in the Grantor to
maintain an irrigation pump along the river at or near
the west edge of said property.

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

Dated: *November OK*
~~September~~ 9, 1977.

Evan E. Kohtz
Evan E. Kohtz

Alice J. Kohtz
Alice J. Kohtz

Myrri W. Heller
Myrri W. Heller

266633

STATE OF IDAHO, COUNTY OF *Ada*STATE OF IDAHO, COUNTY OF *Elmore*

Instrument No.

EXHIBIT A

The west 826.5 feet of Lot 1, Block 32, Fruitland Subdivision,
located in Township 6 South, Range ~~18~~ East, Boise Meridian;

Together with all the right, title, and interest of the Grantor
in and to the vacated roadway located between the south boundary
of the above-described property and the north meander line of the
Snake River, said strip of land being bounded on the east side
by an extension of the east boundary of the above-described parcel
to the north meander line of said river and being similarly bounded
on the west by an extension of the west boundary of the above-
described parcel to the north meander line of said river.

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Lot 98 659.
Lot 99 659.
Lot 100 659.

corporation executed the same

289 45 E 1323.5 FT.

IN WITNESS WHEREOF

my hand and official
in this certificate fi.

Oliver C.

POOR ORIGINAL

Distances mea:
Center of Street

589°36'E

1561.8

PARK

Lot 13

Lot 2

Lot 1

Lot 2

Lot 3

Lot 2

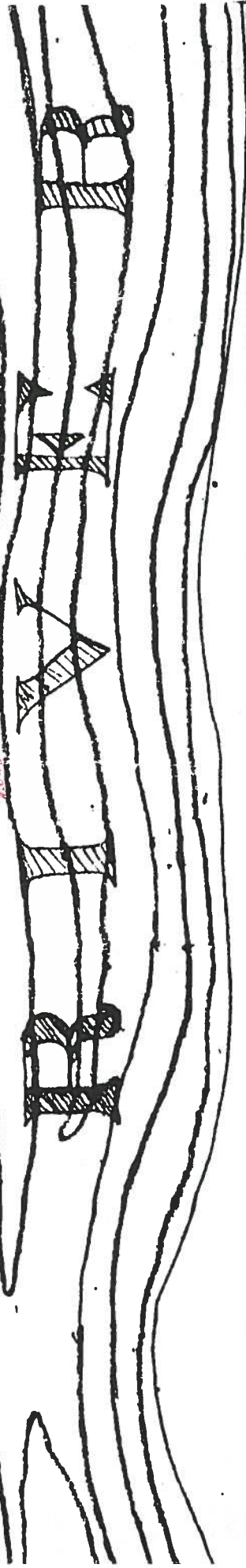
Lot 1

Lot 2

589°36'E

1561.8

Had recent vacated



RECORDED OF THE ERIE

LOT 6	0.000	LOT 4	0.000
LOT 5	0.000	LOT 5	0.000
62.5	70	659.	659.

62.5	LOT 7	330.5	659.	LOT 7	659.
LOT 6	330.5	LOT 2	659.	LOT 1	659.
LOT 5	330.4	LOT 3	330.5	LOT 2	330.5
LOT 4	330.4	LOT 4	330.4	LOT 4	330.4

Lot 6	Lot 2	Lot 6
Lot 5	Lot 3	Lot 5
Lot 4	Lot 4	Lot 4

Distances mea:
Center of Street

A hand-drawn map of a street layout. The main street is labeled "PARK" vertically on the left. A horizontal street intersects it, with "LOT 13" and "LOT 2" labeled above it. A diagonal street branches off to the right, labeled "LOT 3" and "LOT 4". Dimensions are written along the streets: "2.1" and "2.7" for the vertical street, "330.0" and "765.8" for the horizontal street, and "405.0" for the diagonal street. An arrow points right at the top of the horizontal street.

Lot 133 Lot 2

This image shows a vertical strip of a manuscript page, likely from a Gothic script. The text is written in a single column on parchment, with visible binding holes and some decorative initials. The script is a dense, black Gothic hand, and the parchment shows signs of age and wear.

THE EPAGNE 2000

POOR ORIGINAL

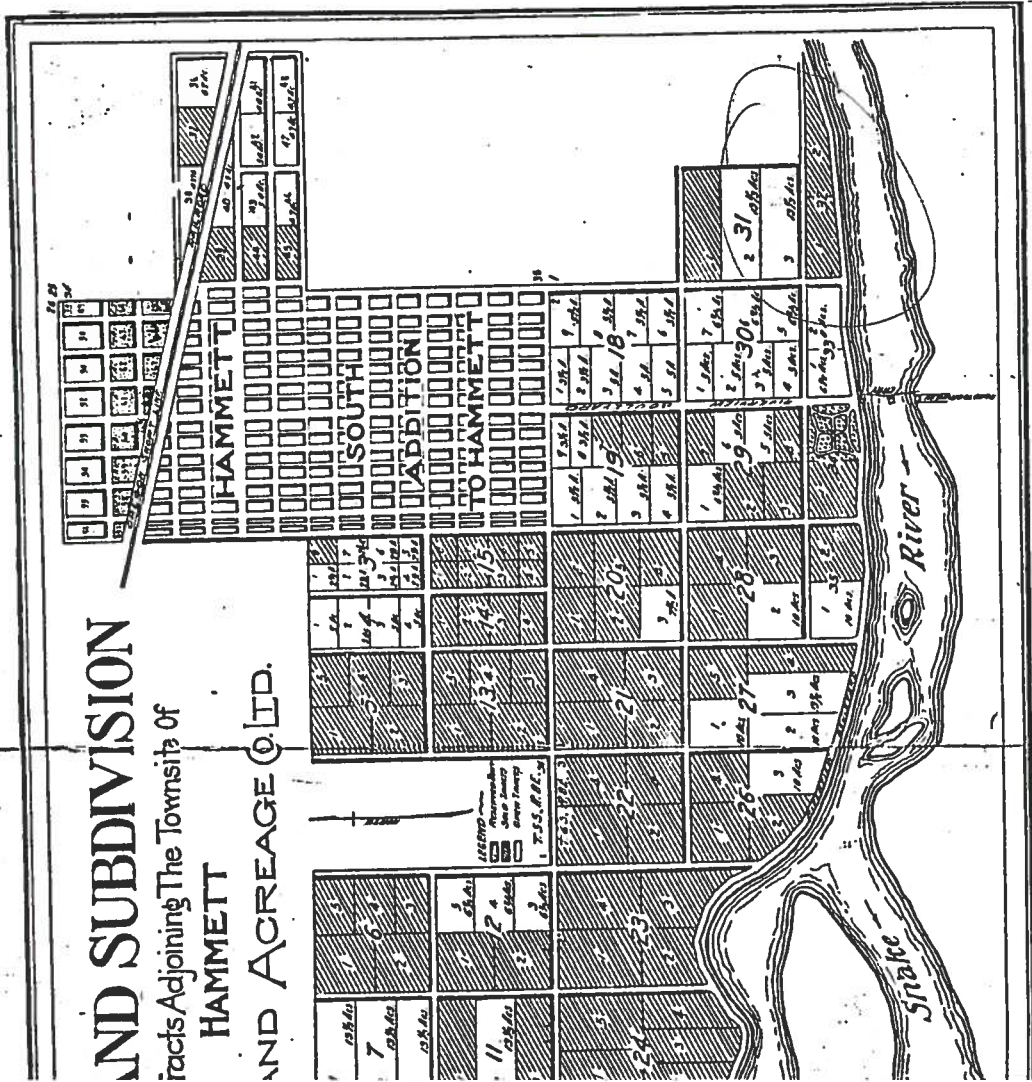
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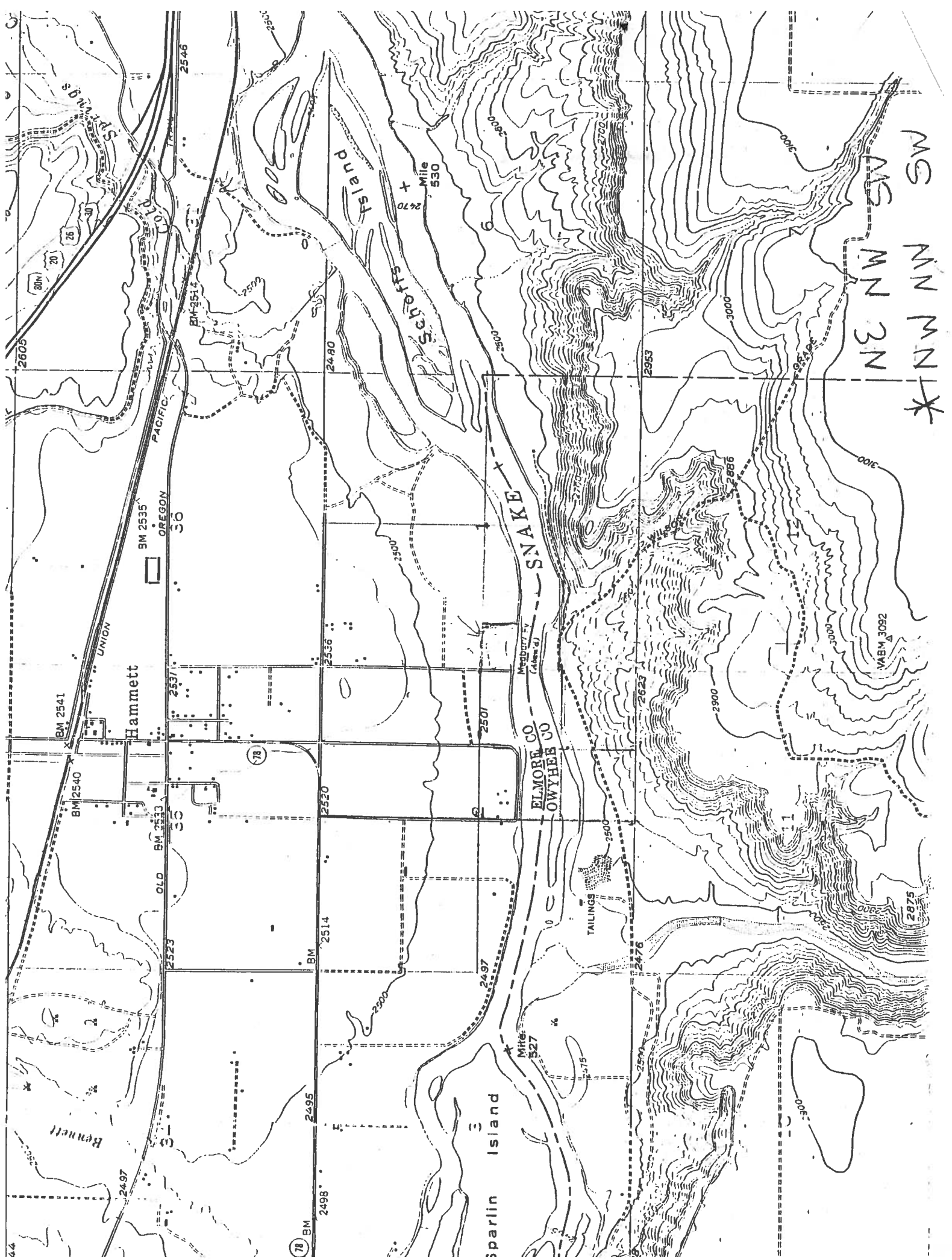
AND SUBDIVISION

tracts Adjoining The Townsite Of

HAMMETT

AND ACREAGE CO. LTD.





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: A02-07172G
Date Received: 11/08/1989
Receipt No: MOD 5780
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EVAN E. KOHTZ 208-366-2466
Address: HAMMETT, ID 83627
OR
Name: ALICE J. KOHTZ 208-366-2466
Address: HAMMETT, ID 83627

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	SE	NE	SW		ELMORE
			NE	NE	SE		ELMORE

5. Description of diverting works:
2 PUMPS 75 & 100 HP HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	5.600		

7. Total Quantity Appropriated is:
5.600 C.F.S. (and/or) 1279.00 A.F.A.

8. Total consumptive use is 840.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	08E	1	SW	NW		IRR	40.0
			NE	SW	7	IRR	3.0
			NW	SW	7	IRR	11.0
						Section Acres	54.0
		2	NE	NE	1	IRR	40.0
			NW	NE	2	IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			SE	NW		IRR	28.0
			NE	SW	5	IRR	10.0
NE	SE		6	IRR	14.0		
NW	SE		6	IRR	14.0		
				Section Acres	226.0		
			Total Acres	280.0			

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM REPRESENTS A PORTION OF LICENSE 02-07172.

THIS CLAIM COVERS 280 OF THE ORIGINAL 299 ACRES. CLAIMANT OWNS 252 OF THE ACRES AND HOLDS THE CONTRACT ON THE REMAINING 28 ACRES CLAIMANT WISHES TO ASSURE THE PROTECTION OF THE WATER RIGHT ON THOSE LANDS FOR WHICH CONTRACTS ARE HELD.

THE LANDS UNDER CONTRACT ARE: 14 ACRES IN THE NE,SE SECTION 2; 11 ACRES IN THE NW, SW SECTION 1 AND 3 ACRES IN THE NE,SW SECTION 1.

THIS CLAIM HAS BEEN GIVEN A \$10.00 CREDIT FOR FEES PAID IN THE 02 ADJUDICATION (ON CLAIM A02-07172A).

15. Basis of Claim: LICENSE

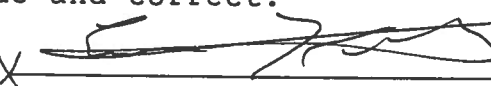
16. Signature(s)

(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

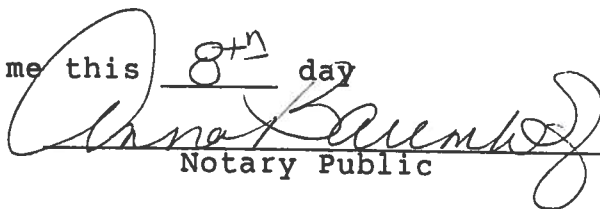
For Individuals:

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

Signature of Claimant(s):  Date: 11/8/89
_____ Date: _____

State of Idaho)
County of Elmore) SS.

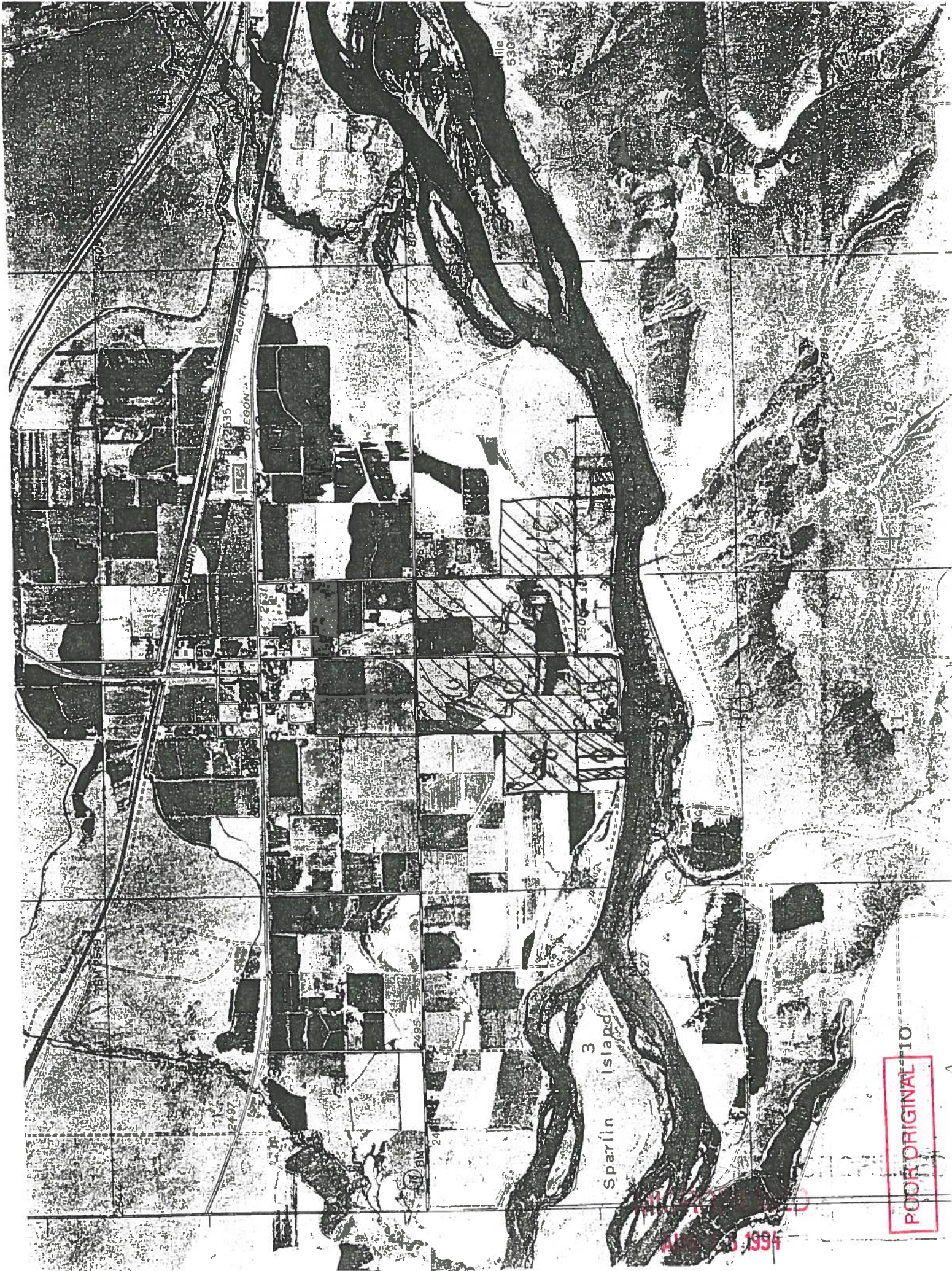
Subscribed and sworn (or affirmed) before me this 8th day
of November 19 89


Notary Public

Seal

Residing at _____

My Commission Expires 7, 1994



POOR ORIGINAL TO

AUG 13 1994

JD P-1
200-A-2022



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 18, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

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

Renumbered to Notice of Claim to a Water Right No. A02-07172N

Dorian Duffin &/or Susanne Vader
7840 Apache Way
Boise, ID 83703

Dear Claimant(s):

We have received and processed the Change of Ownership form submitted on the Original Notice of Claim to a Water Right Number as referenced above. This change of ownership required a split of this original claim resulting in the renumbering of the original claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right Number for your portion is referenced above. The right holders of the remaining portion have also been notified of this split and renumbering of their original claim.

Enclosed is a copy of this new claim which now reflects your portion of the original water right. Please keep this copy for your files and refer to the new claim number when corresponding with our office. If you have any questions concerning this letter or the enclosed claim, please feel free to contact this office.

Sincerely,

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

Enclosure

MICROFILMED

AUG 16 1994

RECEIVED

NOV 08 1993

WATER RESOURCES
WESTERN REGION

Ron -

I may have given you the wrong township-range legal description. The property is

NN of NW of SW $\frac{1}{4}$ of Sec 1
and
a portion of the

NE of NW of SW $\frac{1}{4}$ of Sec 1

Exact acreage is never discussed in the papers because it borders the river. The road ROW adjacent to the river has been abandoned and is ours. Our measurements are approximately 500 feet on the west and 550 feet on the east - approximately 90+ acres. It would be more at low water. I've enclosed:

- copies of the plat showing Lot 1 and Block 32
- copy of a top with the border drawn in.

Please let me know if you have questions!

Thanks,

MICROFILMED

AUG 16 1994

Juan Vaden

386-5251(W) 853-5005(A)