

10/31/2003

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

RIGHT NUMBER: 2-7235C

NAME AND ADDRESS: RUTH B WICHER
PO BOX 278
GLENN'S FERRY ID 83623

DANIEL E WICHER
PO BOX 278
GLENN'S FERRY ID 83623

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.090 CFS
18.400 AFY

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

PRIORITY DATE: 11/02/1976

POINT OF DIVERSION:

T05S R10E S32 NENENE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.090 CFS 18.40 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T05S R10E S32 Lot 1 NENE 4.3 T05S R10E S33 Lot 2 NWNW 0.3

4.6 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

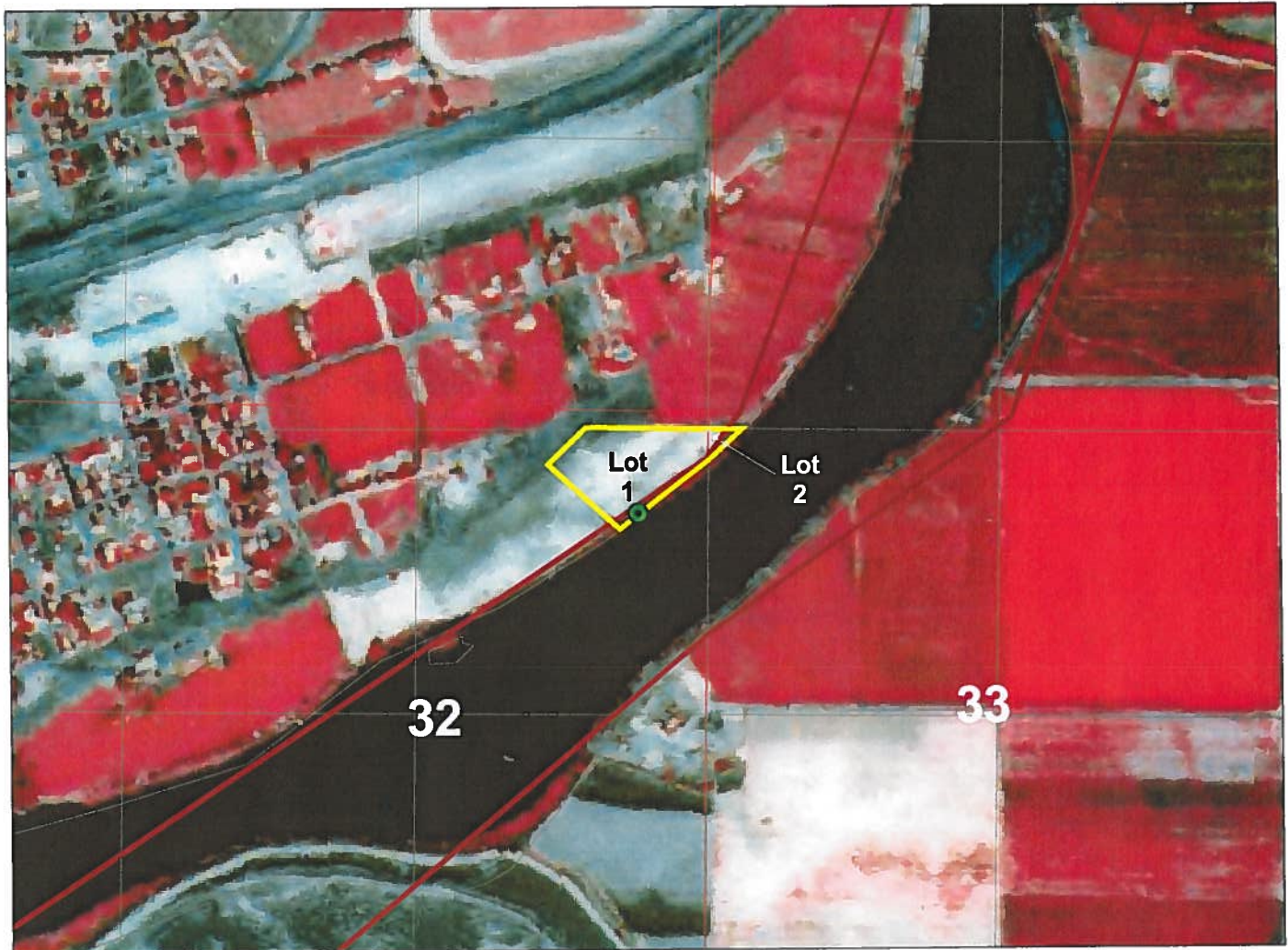
Approval of Transfer No. 4542 authorizes diversion of water from the new point of diversion under Right No. 02-07235C only and is limited to a total diversion rate of 0.09 cfs and a total annual diversion volume of 18.4 af.

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 irrigation of the lands above.

Failure of the right holder to comply with the conditions of Transfer 4542 is cause for the Director to rescind approval of the transfer.

Idaho Department of Water Resources

Place of Use Layout 2-7235C



0 0.25 0.5 Miles

Township 5S Range 10E Sections 32 & 33



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: October 31, 2003

	Point of Diversion
	Place of Use
	PLSS Township
	PLSS Section Lines
	PLSS quarter-quarter lines

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-07235C

Date: 6-28-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	55	10E	32	-1 3.6																3.6
-GIS				4.8																4.8
Claim			33					-2 1												1
GIS								.2												.2
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 4.6

Overlapping EOU Claim #'s:

Total GIS Acres: 5

COMMENTS:

POU per county data & image interp.

POD per Transfer map:

Idaho Department of Water Resources

Claim Number: 02-07235C

Legal: T05S, R10E, S32

Reviewed By:



Point of Diversion



Place of Use

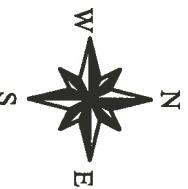


Section Lines



Quarter Quarter Lines

1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 02-07235C

Legal: T05S, R10E, S32

Reviewed By:



Point of Diversion



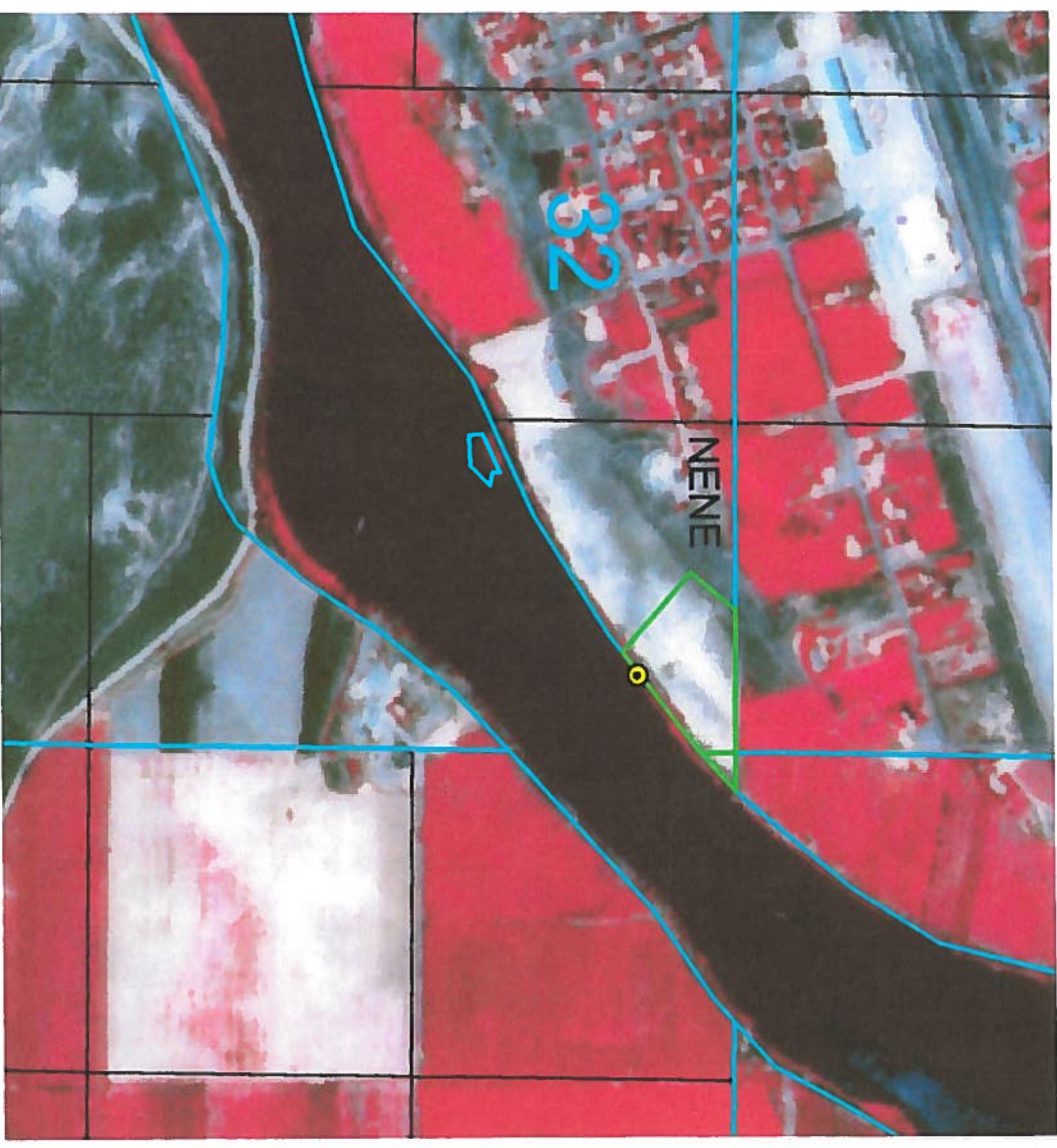
Place of Use



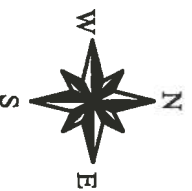
Section Lines



Quarter Quarter Lines



1987 Napp Photo



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

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

CIVIL CASE NUMBER: 39576

Ident. Number 2-7235C
Date Received: 10/20/1989
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DANIEL E AND RUTH B WICHER FAMILY TRUST Phone: (208)366-2038

PO BOX 278
GLENNS FERRY ID USA 83623

2. Date of Priority: 11/02/1976

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	Type
05S	10E	32	NE NE 1	ELMORE	

5. Description of diverting works:

ELECTRIC PUMP AT RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.09	18.4

7. Total Quantity Appropriated is:
0.09 C.F.S. and/or 18.4 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	
05S	10E	32	NE	NE	1	IRRIGATION	3.6
						Section Acres	3.6
05S	10E	33	NW	NW	2	IRRIGATION	1
						Section Acres	1
						Total Acres	4.6

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:

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM A02-07235, FEE PAID UNDER RECEIPT NO. C012446.

KW 12/13/1995 CLAIM AMENDED PER TRANSFER NO. 4542 APPROVED 6/14/1995.

APPROVAL OF TRANSFER NO. 4542 AUTHORIZES DIVERSION OF WATER FROM THE NEW POINT OF DIVERSION UNDER RT. NO. 02-07235C ONLY AND IS LIMITED TO A TOTAL DIVERSION RATE OF 0.09 CFS AND A TOTAL ANNUAL DIVERSION VOLUME OF 18.4 AF.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4542 IN FILE. KW 12/13/1995

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 irrigation of the lands above.

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.

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

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

15. Basis of Claim: License

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

RECEIVED**DEC 13 2005****DEPARTMENT OF
WATER RESOURCES**

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
#2 - 7235C					

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

☒ 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)

Daniel E Wicher
Ruth B Wicher

4. New Owner/Claimant(s)

Daniel E and Ruth B Wicher Family Trust
 Name Contributor (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 278

City, State and ZIP Code

Glenora Ferry ID 83623

New Telephone Number

(208) 366-2038

5. Date you acquired the property

OK to process without signature 12/13/05

SCANNED**DEC 14 2005**

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) _____
(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 _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by <u>aj</u>	Date <u>12-14-05</u>	WR _____ Date _____

SCANNED
DEC 14 2005

SUSAN M. GRAHAM LAW OFFICES
Susan M. Graham
Attorney at Law
104 S. Capitol Blvd.
Boise, Idaho 83702

Client Number: 95-01-10

FILED

1995 JAN 23 PM 12:44

DOLORES ROBISON
CLERK OF THE COURT

DEPUTY *LS*

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

In the matter of the)

DANIEL E. AND RUTH B.)
WICHER TRUST)

Case No. SP-01-95-00002

REGISTRATION OF TRUST
Under Idaho Code Sections
15-7-101 and 102

It is the desire of the undersigned to register this Trust in the
ELMORE County Courthouse, State of Idaho.

1. Name. The name of the Trust to be registered is the THE DANIEL
E. AND RUTH B. WICHER FAMILY TRUST.

2. Trustees. The name and current address of each original Trustee
and Successor Trustee are as follows:

RUTH B. WICHER, Box 278, Glenns Ferry, Idaho 83623,
Original Trustee

DANIEL E. WICHER, Box 278, Glenns Ferry, Idaho 83623,
Original Trustee

THOMAS D. WICHER, 333 Rock Creek Road #44, Hansen,
Idaho, Successor Trustee

EDWARD A. WICHER, 205 Leesburg Lane, Idaho Falls, Idaho
83404, Successor Trustee

3. Registration. The Trust has not been registered or filed
elsewhere.

4. Intervivos. This Trust is an intervivos, Revocable Trust.

5. Grantors. The names of the Grantors, or Settlers of the Trust are

DANIEL E. WICHER and RUTH B. WICHER of Box 278, Glenns Ferry, Idaho 83623.

6. Date. The date of the execution of THE DANIEL E. AND RUTH B. WICHER TRUST instrument is the 14th day of April, 1986, which was amended on January 19, 1995.

7. Powers of Trustee. To carry out the purposes of the Trust created under this Trust Agreement, and subject to any limitations stated elsewhere herein, the Trustee is vested with all of the powers and authority as set forth in the Uniform Trustees' Powers Act, being Chapter 1 of Title 68, Idaho Code, as now in effect and as it may hereafter from time to time be amended.

8. Power of Co-Trustees to Act Independently. Notwithstanding any other provision to the contrary, the Grantors specifically authorize either of the original Co-Trustees, namely, DANIEL E. WICHER and RUTH B. WICHER, during their joint lives and while serving as Co-Trustees, to act independently of the other and have the authority to perform all powers and acts as granted under the DANIEL E. AND RUTH B. WICHER TRUST, except as affects an interest in real property, by example, but not limited thereto, to sell, transfer, assign, mortgage, hypothecate or otherwise encumber the real property of the Trust Estate, which will necessitate the concurrence of both original Co-Trustees as long as both are alive. As to separate property of a Grantor, be it real or personal, only a single signature of the Grantor owner of the separate property shall be required as provided under section 2.3 of this Trust.

9. Original Trustees. The original Trustees under this Registration of Trust shall be DANIEL E. WICHER and RUTH B. WICHER, to serve with all of the obligation, powers, and authority contained within the Trust Agreement.

10. Death, Incapacity or Resignation of Original Trustee. In the event of the death, or incapacity of DANIEL E. WICHER, or if for any reason whatsoever he ceases to serve as Trustee hereunder, the Grantors nominate and appoint RUTH B. WICHER, to serve as Trustee hereunder without the approval of any Court.

In the event of the death, or incapacity of RUTH B. WICHER, or if for any reason whatsoever she ceases to serve as Trustee hereunder, the Grantors nominate and appoint DANIEL E. WICHER, to serve as Trustee hereunder without the approval of any Court.

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: **A02-07235C**
Date Received: 10/20/1989
Receipt No: X777777
Received By: _____

AMENDED

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

AMENDED

1. Name: DANIEL E WICHER 208-366-2038
Address: PO BOX 278
GLENNS FERRY ID 83623
OR
Name: RUTH B WICHER 208-366-2038
Address: PO BOX 278
GLENNS FERRY ID 83623

2. Date of Priority: NOV 2, 1976

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
05S	10E	32	NE	NE	NE	1	ELMORE

5. Description of diverting works:
ELECTRIC PUMP AT RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.090		18.40

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) 18.40 A.F.A.

8. Total consumptive use is 15.7 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

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SEP 19 1996**

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	32	NE	NE	1	IRR	3.6
						Section Acres	3.6
		33	NW	NW	2	IRR	1.0
						Section Acres	1.0
						Total Acres	4.6

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:

PORTION OF STAT.CLAIM 02-04006 CLAIMED.

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM A02-07235, FEE PAID UNDER RECEIPT NO. C012446.

KW 12/13/1995

CLAIM AMENDED PER TRANSFER NO. 4542 APPROVED 6/14/1995.

APPROVAL OF TRANSFER NO. 4542 AUTHORIZES DIVERSION OF WATER FROM THE NEW POINT OF DIVERSION UNDER RT. NO. 02-07235C ONLY AND IS LIMITED TO A TOTAL DIVERSION RATE OF 0.09 CFS AND A TOTAL ANNUAL DIVERSION VOLUME OF 18.4 AF.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4542 IN FILE. KW 12/13/1995

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: _____

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For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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SEP 19 1996

✓ Roxanne
Western AJ

RECEIVED

JUN 27 1995

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4542
WATER RIGHT NO. 02-07235C

This is to certify that: DANIEL E WICHER
RUTH B WICHER
PO BOX 278
GLENN'S FERRY ID 83623

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	0.09 CFS	18.4 AF
<u>SOURCE</u>	<u>TRIBUTARY OF</u>		
SNAKE RIVER	COLUMBIA RIVER		

Priority: 11/02/1976

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 32, Township 05S, Range 10E
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>
05S	10E	32	Lot 1(NENE)	3.6		3.6
		33	Lot 2(NWNW)	1		1
Total number of acres irrigated:						4.6

CONDITIONS/REMARKS:

- R35 1. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
- R31 2. 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.
- T07 3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

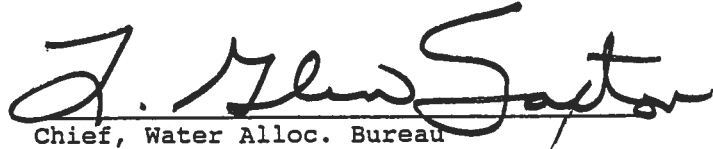
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SEP 19 1996

TRANSFER NO. 4542
WATER RIGHT NO. 02-07235C

CONDITIONS/REMARKS:

- 708 4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 709 5. 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.
6. Approval of Transfer No. 4542 authorizes diversion of water from the new point of diversion under Right No. 02-07235C only and is limited to a total diversion rate of 0.09 cfs and a total annual diversion volume of 18.4 af.

Dated this 14th day of June, 1995.


Chief, Water Alloc. Bureau

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SEP 19 1996

Page 1 of 2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4542

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Daniel E and Ruth B Wicher Phone 366 - 2038
Post Office address Box 278 Elenas Ferry, Id 83623

A. PURPOSE OF TRANSFER (See diagram attachment)

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 We purchased 4.57 Acres from a Parcel of land owned by Billy & Judy Andrew here in Elenas Ferry. We would like to move our point of Diversion to the land we purchased

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
<u>02-07235 B</u>				
<u>02-07235</u>	<u>11/2/76</u>	<u>.094 cfs</u>	<u>Pasture</u>	<u>3/15 to 11/15</u>
<u>02-04006</u>				

2. Total amount of water being transferred .094 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:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
1		NE	NE	32	5S	10E	Elmore	Wicher Diversion - (See survey)

5. Lands irrigated or place of use: No Change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	10E	32	(Lot 1) 3.52																3.57
5S	10E	33						(Lot 2) 1.0											1.0

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SEP 19 1996

PART 1

6. General Information:

2EB 10 000

a. Description of diversion system Elect Pump at the river.b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO 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:

NO affect

d. Remarks:

We want our own water system
on our own land

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 _____.

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED - See attached Profile Report

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 02-07235 issued by the Idaho Department of Water Resources.
- c. Claim No. 02-07235 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☒ Warranty Deed☐ Other _____3. Source of water Swala River tributary to Columbia River4. Date or priority 11/2/76

5. Water is used for the following purpose:

amount 1114 cfs for irrigation purposes from 3-15 to 11/15
 (cfs/ac-ft) .30
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) 30 cfs

6. Total amount of water under right 1114 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>1</u>		<u>NE</u>	<u>NE</u>	<u>32</u>	<u>5S</u>	<u>10E</u>	<u>E/river</u>	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5S</u>	<u>10E</u>	<u>32</u>	<u>GL1</u> <u>14.0</u>																<u>14</u>
<u>5S</u>	<u>10E</u>	<u>33</u>					<u>GL2</u> <u>1.0</u>												<u>1</u>

MICROFILMED
SEP 19 1996

Total acres ~~452~~ 159. Describe any other water rights used for the same purpose as described above None

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

N/A

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED — Will be 02-7235 B

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

1. amount .094 for irrigation purposes from 3-15 to 11-15
 (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
1		NE	NE	32	5S	10E	ELMORE	Wicher 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	
5S	10E	32	3.57																3.57
5S	10E	33					1.0												1.0

Total acres 4.57

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

1. amount .21 for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/C

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	
5S	10E	32	10.43																10.43

Total acres 10.43

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 attached survey.

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SEP 19 1996

PART 3

B. CHANGES IN NATURE OF USE

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:

No Effect

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

No Effect

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.

Paul E. Walker
(Signature of Applicant)

Subscribed and sworn to before me this 19th day of January, 1995.

Kathryn A. Walker
(Notary Public)

My commission expires 2-14-1999

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 6 attachments

Received by <u>JFW</u>	Date <u>1/19/95</u>	Protest filed by _____
Prelim. check by _____	Fee <u>100.00</u>	_____
Receipted by <u>JFW</u>	Date <u>1/19/05</u>	_____
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 _____

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: A02-07235C
Date Received: 10/20/1989
Receipt No: X777777
Received By: _____

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

1. Name: DANIEL E WICHER 208-366-2038
Address: PO BOX 278
GLENNS FERRY ID 83623
OR
Name: RUTH B WICHER 208-366-2038
Address: PO BOX 278
GLENNS FERRY ID 83623

2. Date of Priority: NOV 2, 1976

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
05S	10E	32	SW	NE	NE	1	ELMORE

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		22.50

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) 22.50 A.F.A.

8. Total consumptive use is 15.7 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

MICROFILMED
SEP 19 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	32	NE	NE	1	IRR	3.5
						Section Acres	3.5
		33	NW	NW	2	IRR	1.0
						Section Acres	1.0
						Total Acres	4.5

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:
PORTION OF STAT.CLAIM 02-04006 CLAIMED.

14. Remarks:
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM A02-07235, FEE PAID UNDER RECEIPT NO. C012446.
KW 12/13/1995

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: _____

MICROFILMED
SEP 19 1996

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
SEP 19 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: MARCH 3, 1994

LEGAL DESCRIPTION OF PROPERTY: Township 05S Range 10E
 Section 32, 33 1/4 of 1/4 of 1/4 Govt. Lot 1 & 2, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

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)

[] Water Right Number(s)
 Assigned by IDWR: A02-07235

[] Name and Address of Former
 Owner/Claimant(s)(Seller): BILLY E. &/OR JUDY L. ANDREWS
P.O. BOX 756, GLENNS FERRY, IDAHO 83623

[] New Owner/Claimant
 (Purchaser): DANIEL E. WICHER AND/OR RUTH B. WICHER

[] New Mailing Address: P.O. BOX 278
GLENNS FERRY, IDAHO 83623

BUYERS RESPONSIBLE TO CHANGE POINT OF DIVERSION FOR WATER

[] New Telephone Number: (208) 366-2038

[] 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:

4.57 ACRES OF TOWNSHIP 5 SOUTH, RANGE 10 EAST, BOISE MERIDIANSEC. 32 PART LOT 1POINT OF DIVERSION TO BE ATTACHED FOR CHANGEsec. 33 LOT 2SURVEY PLAT ATTACHED AND COPY OF LEGAL DIScription

[] Attach proof of
 ownership, describe
 proof attached: RECORDED 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.)

[] Signature of New
 Owner/Claimant(s) [Signature] Date 3-3-94

[] Signature of Former
 Owner/Claimant(s): [Signature] Date 3/3/94

(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:

MICROFILMED**SEP 19 1996**

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

Order No. 5257

WARRANTY DEED

FOR VALUE RECEIVED

BILLY E. ANDREWS and JUDY L. ANDREWS, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

DANIEL E. WICHER and RUTH B. WICHER, husband and wife

GRANTEE(s) whose address is: P.O. Box 278, Glenns Ferry, ID 83623

the following described real property in Elmore County, Idaho, to wit:

See attached Exhibit "A"

#5

COPY

Subject To: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 1, 1994

Billy E. Andrews by [Signature]
As his attorney in fact

BILLY E. ANDREWS

JUDY L. ANDREWS

State of Idaho

County of Elmore

On this

March 3, 1994

State of Idaho

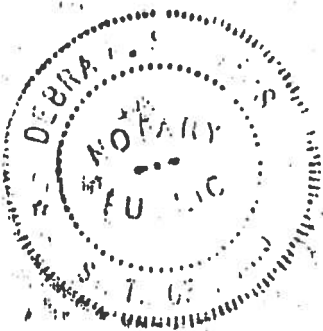
County of Elmore

On this March 3, 1994, before me, a notary public in and for said State, personally appeared JUDY L. ANDREWS personally known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as the Attorney in Fact of BILLY E. ANDREWS and acknowledged to me that he/she subscribed the name(s) of BILLY E. ANDREWS thereto as principal(s), and his/her own name as attorney in Fact.

Debra K. Sanders
Notary Public

Residing at Mt. Home, Id

Commission Expires: 2-18-98



279220

ELMORE COUNTY, IDAHO, ss

Request of

FIRST AMERICAN

Time 4:03 P.M.

Date MAR 3 1994

Book _____ of _____

Page _____

DOLORES ROBISON

By Merla L. Becker

Deputy

Fee \$9.00

MICROFILMED

SEP 19 1996

Exhibit "A"

Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho.

Section 32:

Part Lot 1

Section 33:

Lot 2

being more particularly described as follows:

$x = 0$
 $y = 80$

Beginning at the Northwest corner of Section 33 marked with a Brass Cap Section corner, the True Point of Beginning; thence

North 89°48'40" East 159.59 feet to a Brass Cap Meander corner set on the right bank of the Snake River; thence

along the right bank of said river the following courses:

South 46°43'26" West 182.65 feet;

South 53°16'55" West 350.37 feet;

South 65°14'14" West 99.00 feet;

South 43°32'32" West 46.83 feet; thence

departing said river bank

North 49°47'22" West 422.66 feet; thence

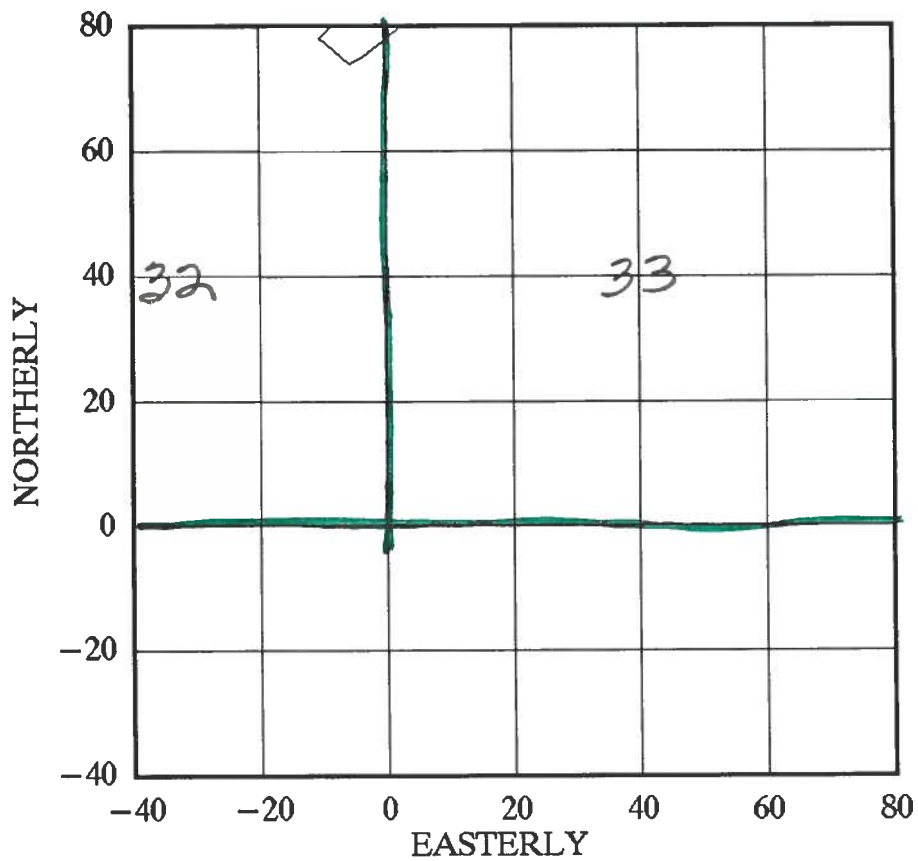
North 44°39'38" East 199.08 feet to the intersection of the Northerly boundary of Government Lot 1, Section 32 and the Westerly boundary of Lemhi Street as shown on the original plat of Glens Ferry on file with the Elmore County Recorder; thence

South 89°59'00" East 559.27 feet along the Northerly boundary of said Government Lot 1 to the Northeast corner of Government Lot 1; thence

South 0°20'00" West 4.73 feet to the True Point of Beginning.

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SEP 19 1996

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



MICROFILMED

SEP 19 1996

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
		DEGREES	MINUTES	SECONDS		
0.00	80.00					
2.42	80.01	89.00	48.00	40.00	NE	159.59
0.40	78.11	46.00	43.00	26.00	SW	182.65
-3.85	74.94	53.00	16.00	55.00	SW	350.37
-5.21	74.31	65.00	14.00	14.00	SW	99.00
-5.70	73.79	43.00	32.00	32.00	SW	46.83
-10.59	77.93	49.00	47.00	22.00	NW	422.66
-8.47	80.07	44.00	39.00	38.00	NE	199.08
0.00	80.07	89.00	59.00	0.00	SE	559.27
0.00	80.00	0.00	20.00	0.00	SW	4.73

MICROFILMED
SEP 19 1996

LINE	BEARING	DISTANCE
L1	S 0°30'00" W	4.731'
L2	N 89°29'00" E	21.25'
L3	N 89°29'00" E	40.71'
L4	S 49°25'42" E	10.00'
L5	N 40°31'18" E	29.22'
L6	S 37°34'04" E	70.70'
L7	N 85°31'18" E	85.87'
L8	S 43°28'42" E	47.21'
L9	S 59°28'42" E	47.21'

NOTE:
SECTION CORNER SET FOR NE CORNER OF SECTION 32 BY
1918 SURVEY IS NOT IN AGREEMENT WITH ORIGINAL
S. & W. DEEDS. DISTANCES OF 473 FEET SOUTH OF
ORIGINAL CORNER AS RETRACED FROM
CITY PLAT.
THE LOT CORNERS ARE REESTABLISHED BY USE OF ORIGINAL
DISTANCES AS SHOWN BY TOWNSHIP PLATS WHICH SURVEY
WAS CONDUCTED IN 1910.

Wicher
Property.

LEGEND

- SURVEY BOUNDARY
- 7/2" x 24" REBAR W/ SURVEY CAP FOUND, L.S. No. 884
- 1/2" x 24" STEEL PIN SET
- FOUND BRASS CAP AT SECTION CORNER
- BRASS CAP MEANDER CORNER

RECORDER'S CERTIFICATE

State of Idaho)
County of Elmore)
SS 277306
Filed for record at request of R.D. O'Neil at page _____ of Book _____
this _____ day of _____ 1998
DOLores ROBBSON, Clerk
By _____ Deputy

PLAT OF SURVEY

FOR
JUDY L ANDREWS

LOCATED IN GOVERNMENT LOT 1, SECTION 32, AND GOVERNMENT
LOT 2, SECTION 31, T11N, R10E, S4M
ELMORE COUNTY, IDAHO TOWNSHIP, RANGE

CRITSER LAND SURVEYS

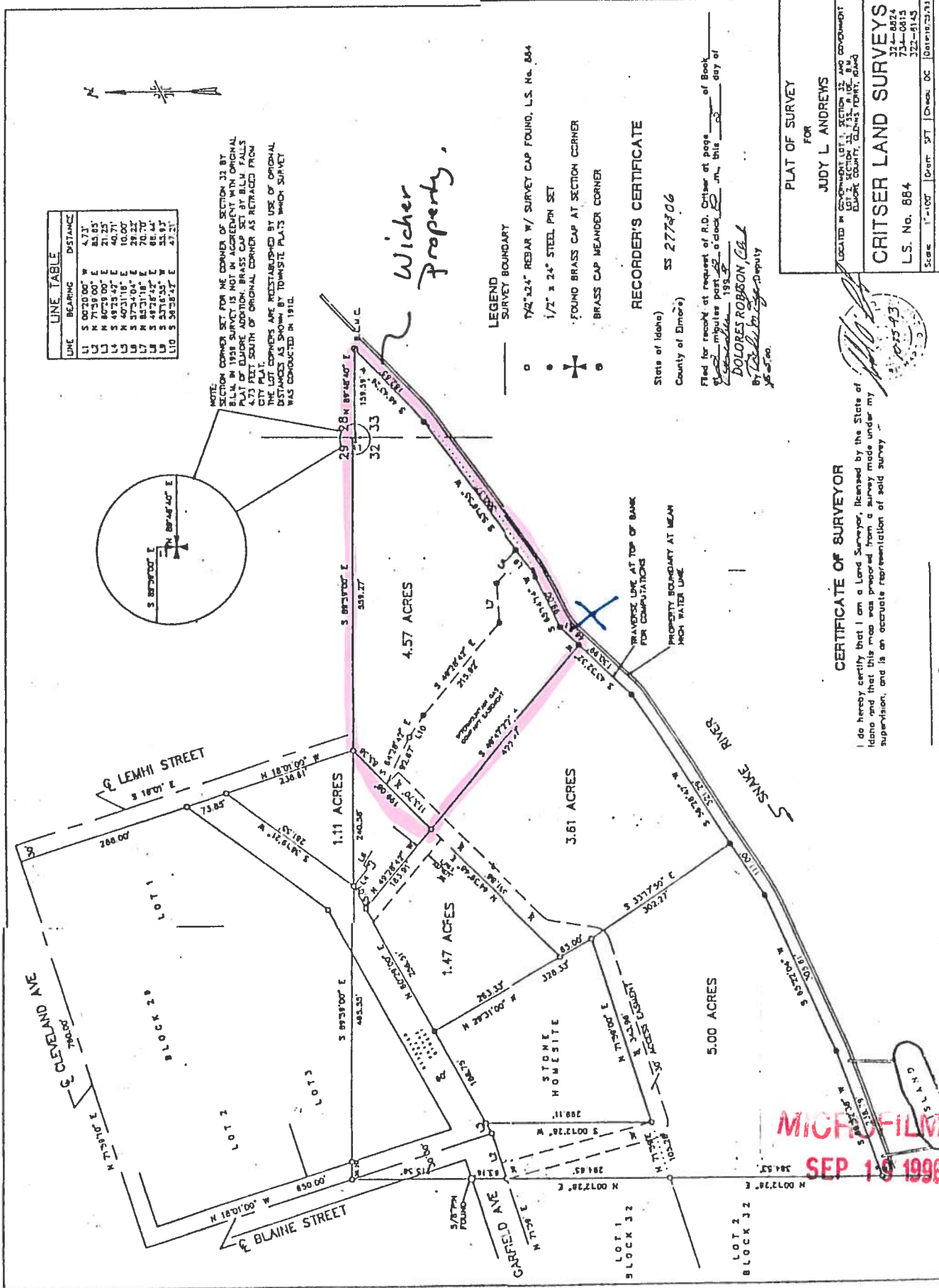
L.S. No. 884
321-8824
731-0815
322-8145

Scale 1"=100' Date 5/1/98 Drawn DC Date 5/1/98

CERTIFICATE OF SURVEYOR

I do hereby certify that I am a Land Surveyor, licensed by the State of
Idaho and that this map was prepared from a survey made under my
supervision, and is an accurate representation of said survey.

MICROFILMED
SEP 10 1996



Critser Land Survey

10546 Summerwind Drive

Boise, Idaho 83704

Boise - (208) 322-61

Jerome - (208) 324-88

Twin Falls - (208) 734-16

LAND DESCRIPTION

FOR

JUDY L. ANDREWS

TOWNSHIP 5 SOUTH, RANGE 10 EAST, BOISE MERIDIAN
SECTION 32 PART LOT 1
SECTION 33 LOT 2

ELMORE COUNTY, IDAHO

4.57 ACRES

Beginning at the Northwest corner of Section 33 marked with a Brass Cap Section corner, The TRUE POINT OF BEGINNING;
thence North $89^{\circ} 40' 40''$ East 159.59 feet to
a Brass Cap Meander corner set on the right bank of
the Snake River;

thence along the right bank of said river the
following courses:

South $46^{\circ} 43' 26''$ West 182.65 feet;

South $53^{\circ} 16' 55''$ West 350.37 feet;

South $65^{\circ} 14' 14''$ West 99.00 feet;

South $43^{\circ} 32' 32''$ West 46.83 feet;

thence departing said river bank North $49^{\circ} 47' 22''$
West 422.66 feet;

thence North $44^{\circ} 39' 30''$ East 199.08 feet to the
intersection of the Northerly boundary of Government
Lot 1, Section 32 and the Westerly boundary of Lenth
Street as shown on the original plat of Glenns Ferry
of file with the Elmore County Recorder;

thence South $89^{\circ} 59' 00''$ East 559.27 feet along
the Northerly boundary of said Government Lot 1 to the
Northeast corner of Government Lot 1;

thence South $0^{\circ} 20' 00''$ West 4.73 feet to the
TRUE POINT OF BEGINNING.

Said parcel of land containing 4.57 Acres more or less.

Subject to the following Northwest Pipeline Easement of record.

Beginning at the Northwest corner of Section 33;

thence North $89^{\circ} 40' 40''$ East 159.59 feet along the
Northerly boundary of Section 33 to a Brass Cap Meander
corner on the right bank of the Snake River;

thence South $46^{\circ} 43' 26''$ West 182.65 feet along
said right bank;

thence South $53^{\circ} 16' 55''$ West 294.44 feet to the
Easterly boundary of said pipeline easement and the TRUE
POINT OF BEGINNING.

thence along the Easterly boundary of said Easement
the following courses;

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: **A02-07235**
Date Received: 10/20/1989
Receipt No: C012446
Received By: _____

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

1. Name: BILLY E ANDREWS 208-366-2713
Address: PO BOX 756
GLENN'S FERRY ID 83623
OR
Name: JUDY L ANDREWS 208-366-2713
Address: PO BOX 756
GLENN'S FERRY ID 83623

2. Date of Priority: NOV 2, 1976

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
05S	10E	32	SW	NE	NE	1	ELMORE

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		75.00

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) 75.00 A.F.A.

8. Total consumptive use is 52.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

MICROFILMED
SEP 19 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	32	NE	NE	1	IRR	14.0
						Section Acres	14.0
		33	NW	NW	2	IRR	1.0
						Section Acres	1.0
						Total Acres	15.0

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:

PORTION OF STAT.CLAIM 02-04006 CLAIMED.

14. Remarks:

OWNERSHIP CHANGED BY RDH ON 09-13-1993.

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: _____

MICROFILMED
SEP 19 1996

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 _____

MICROFILMED
SEP 19 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

OCT 08 1992

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

Department of Water Resources

DATE OF CLOSING: SEPT. 30, 1992

LEGAL DESCRIPTION OF PROPERTY: Township 5S Range 10E
Section 32 & 33 NE 1/4 of NE 1/4 of 1/4 Govt. Lot 1, BM.
Lot , Block, , Subdivision/Townsite .
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)
- ☐ Water Right Number(s)
Assigned by IDWR: 02-7235 WATER RIGHT LICENSE
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): FREDERICK E. &/OR PAULINE A. STONE
P.O. BOX 247
GLENNS FERRY, IDAHO 83623
- ☐ New Owner/Claimant (Purchaser): BILLY E. &/OR JUDY L. ANDREWS
P.O. BOX 756
- ☐ New Mailing Address: GLENNS FERRY, IDAHO 83623
- ☐ New Telephone Number: (208) 366-2713 - per 12/94 phone directory
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: RECORDED DEEDS, COPY OF WATER RIGHT LICENSE #02-7235 TRANSFERRING ALL WATER ON LICENSE.
(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): Billy E. Andrews Date 9/30/92
- ☐ Signature of Former Owner/Claimant(s): Frederick E. Stone Date 9-30-92
Pauline A. Stone Date 9-30-92

(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:

MICROFILMED

SEP 19 1996

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

Order No. 4614

WARRANTY DEED

FOR VALUE RECEIVED

FREDERICK E. STONE and PAULINE A. STONE, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

BILLY E. ANDREWS and JUDY L. ANDREWS, husband and wife

GRANTEE(s) whose address is: P.O. Box 756, Glens Ferry, ID 83623

the following described real property in Elmore County, Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

270814

ELMORE COUNTY, IDAHO, ss

Request of First American Title HH
Time 4:28 P. M.
Date September 30, 1992
Book _____
Page _____
By DOLORES RGBISON
Merle L. Becker
Deputy
Fee \$9.00

Subject To: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 29, 1992

Frederick E. Stone
FREDERICK E. STONE

Pauline A. Stone
PAULINE A. STONE

State of Idaho

County of Elmore

On this September 30, 1992, before me, a notary public in and for said State, personally appeared FREDERICK E. STONE and PAULINE A. STONE personally known or identified to me 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.

WITNESS my hand and official seal.

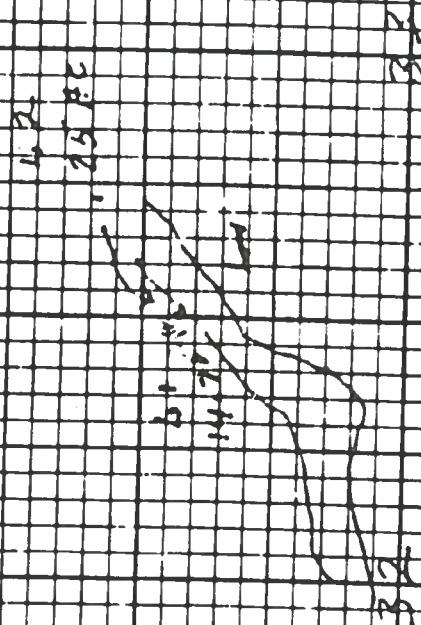
[Signature]
Notary Public
Residing at Mountain Home, Idaho
Commission Expires: 4-29-94

eswed

MICROFILMED
SEP 19 1996

10

Ride



fish

MICROFILMED
 SEP 19 1996

ਅੰਤਰਰਾਸ਼ਟਰੀ

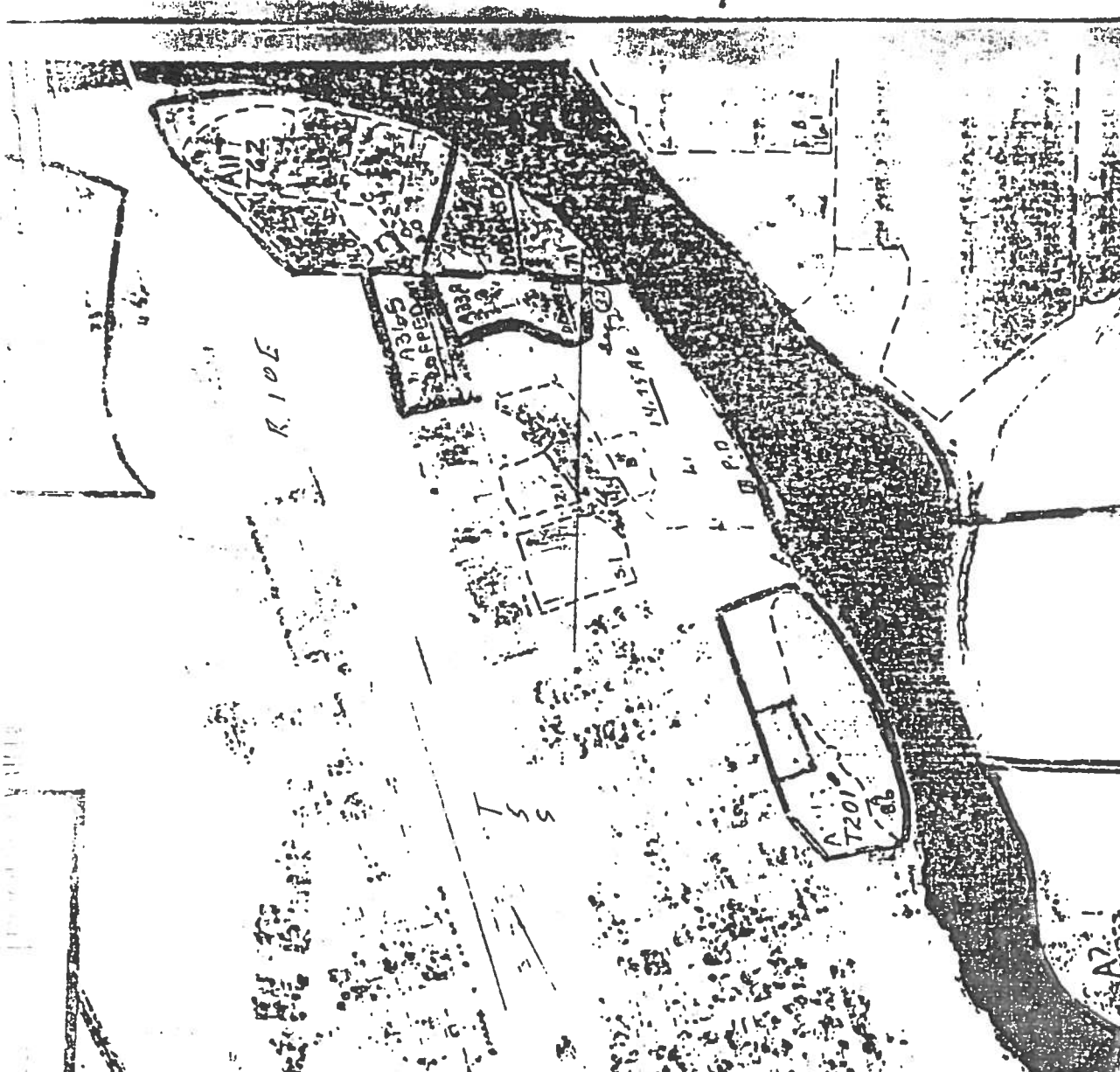


EXHIBIT "A"

Parcel I:

TOWNSHIP 5 SOUTH, RANGE 10 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

Section 32: Part of Government Lot 1 described as follows:

Commencing at the northeast corner of said Lot 1; thence North 89°59' West 799.84 feet along the northerly boundary of said Lot 1 to the southerly boundary of land conveyed to the City of Glens Ferry; thence South 60°29' West 45.01 feet along said southerly boundary to the easterly right of way boundary of Northwest Pipeline, Inc. easement and the True Point of Beginning; thence South 60°29' West 256.51 feet along said southerly boundary; thence South 29°31' East 263.33 feet; thence North 44°39'48" East 331.86 feet to the easterly right of way boundary of said Northwest Pipeline, Inc. easement; thence North 49°28'42" West 183.91 feet along said easterly right of way boundary to the True Point of Beginning.

AND

Parcel II:

TOWNSHIP 5 SOUTH, RANGE 10 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

Section 29: Part of Lot 3, Block 26, ELMORE ADDITION to Glens Ferry, Elmore County, Idaho; and

Section 32: Part of Government Lot 1;

more particularly described as follows:

Beginning at the southeast corner of said Lot 3, Block 26, Elmore Addition; thence North 18°01' West 238.61 feet along the easterly boundary of said Lot 3 to the southerly boundary of land conveyed to the City of Glens Ferry; thence South 36°19'21" West 281.55 feet along said southerly boundary to the northerly boundary of said Government Lot 1; thence South 60°29' West 45.01 feet along the southerly boundary of said land conveyed to the City of Glens Ferry to the easterly boundary of the Northwest Pipeline, Inc. easement; thence South 49°28'42" East 183.91 feet along said easterly right of way boundary; thence North 44°39'48" East 199.08 feet to the point of beginning.

AND

Parcel III:

TOWNSHIP 5 SOUTH, RANGE 10 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

Section 32: Part of Government Lot 1; AND

Section 33: All of Government Lot 2;

CONTINUED

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EXHIBIT "A" CONTINUED

more particularly described as follows:

Beginning at the Northwest corner of Section 33 marked by G.L.O. Dependent Resurvey Brass Cap dated 1959, the TRUE POINT OF BEGINNING; thence
North 89°48'40" East 159.59 feet along the Northerly boundary of Government Lot 2, Section 33 to the right
bank of the Snake River; thence
along said right bank the following courses:
South 46°43'26" West 182.65 feet;
South 53°16'55" West 350.37 feet;
South 65°14'14" West 99.00 feet;
South 43°32'32" West 177.82 feet;
South 56°28'47" West 432.29 feet;
South 65°22'04" West 305.61 feet;
South 69°52'38" West 238.79 feet to the Westerly boundary of Government Lot 1, Section 32; thence
North 0°12'28" East 384.53 feet along the Westerly boundary of Government Lot 1, to the Southeast corner
of Lot 1, Block 32 of the City of Glenns Ferry Townsite Plat; thence
North 0°12'28" East 294.65 feet along the Easterly boundary of Lot 1, Block 32 to the Southerly boundary
of Garfield Avenue as shown in the Glenns Ferry Townsite Plat; thence
North 71°59' East 85.85 feet along the extended Southerly boundary of Garfield Avenue to the extended
centerline of Blaine Street; thence
North 60°29' East 21.25 feet along the Southerly boundary of the reserved Garfield Avenue; thence
South 0°12'28" West 299.11 feet; thence
North 71°59' East 343.96 feet; thence
North 29°31' West 65.00 feet; thence
North 44°39'48" East 530.94 feet to the Westerly boundary of Lemhi Street and the Northerly boundary of
Government Lot 1, Section 32; thence
South 89°59' East 559.27 feet along the Northerly boundary of Government Lot 1 to the Northeast corner
of said Government Lot 1; thence
South 0°20' West 4.73 feet to the Northwest corner of Section 33, the TRUE POINT OF BEGINNING.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A02-07235
Date Received: 10/20/1989
Receipt No: C012446
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Name: FREDERICK E. STONE 208-366-2286
Address: P.O. BOX 247
GLENN'S FERRY, ID 83623
OR
Name: PAULINE A. STONE 208-366-2286
Address: P.O. BOX 247
GLENN'S FERRY, ID 83623

Date of Priority: NOV 02, 1976

Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	10E	32	SW	NE	NE	1	ELMORE

Description of diverting works:
PUMP & SPRINKLERS.

Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		75.00

Total Quantity Appropriated is:
0.300 C.F.S. (and/or) 75.00 A.F.A.

Total consumptive use is 52.5 Acre Feet Per Annum.

Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	32	NE	NE	1	IRR	14.0
						Section Acres	14.0
		33	NW	NW	2	IRR	1.0
						Section Acres	1.0
						Total Acres	15.0

11. Place of use in counties: ELMORE

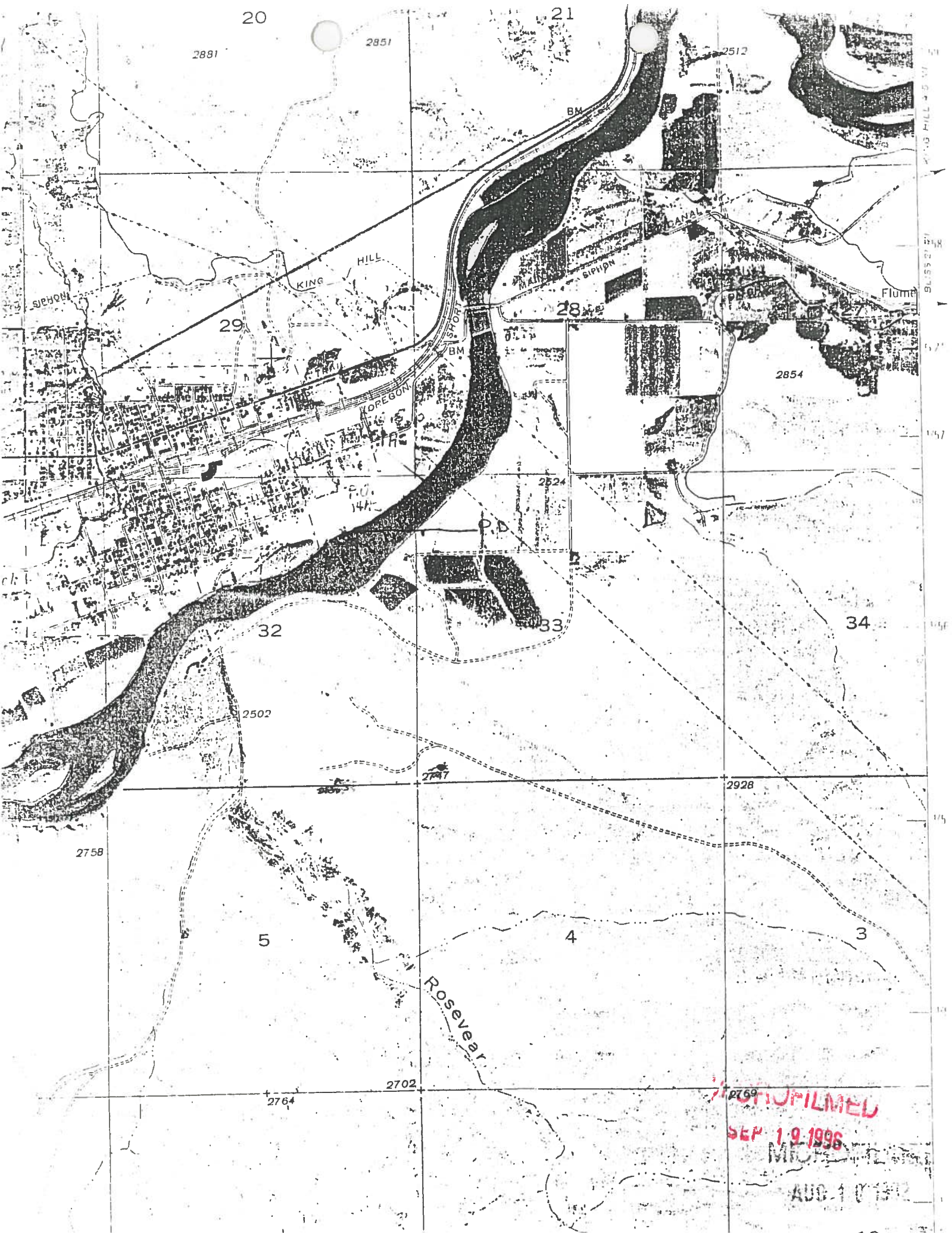
12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

PORTION OF STAT.CLAIM 02-04006 CLAIMED.

14. Remarks:

15. Basis of Claim: LICENSE



NOT FILMED
SEP 19 1996
AUG 10 1992

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): Frederick E Stone Date: 10/20/89
Caroline A Stone Date: 10/20/89

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Oct. 1989
James E. Smith
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

December 13, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Original Notice of Claim to a Water Right No. A02-07235
Renumbered to Notice of Claim to a Water Right No. A02-07235C

Daniel E. or Ruth B. Wicher
P.O. Box 278
Glenns Ferry, ID 83623

Dear Claimants:

We have received and processed the Change of Ownership form submitted on the original notice of claim to a water right 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 Claim A02-07235C which now reflects your portion of the original water right and Transfer No. 4542. 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,

ADJUDICATION STAFF
Department of Water Resources
Western Region Office

KW:k
Enclosure

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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

February 7, 1994

Judy Andrews
P.O. Box 756
Glenns Ferry, ID 83623

Dear Mrs. Andrews:

Pursuant to our telephone conversation this morning, I offer the following information. Claim to a Water Right No. A02-07235 can be split between each of the parties buying portions of the lands covered under this claim. Enclosed are a couple of Notice of Change of Water Right Ownership forms for your convenience. Each new owner should submit one of these forms which describes the proportionate share of the right which they have purchased including the number of acres they have purchased, the location of these lands and the amount of water they receive. The water should be split proportionately, that is: $0.30 \text{ cfs for } 15 \text{ acres} = 0.02 \text{ cfs for each acre}$. If "Mr. X" buys 4 acres then the amount of water would be figured as: $4 \text{ acres} \times 0.02 \text{ cfs} = 0.08 \text{ cfs}$. The volume of water is split the same way: $75.0 \text{ afa for } 15 \text{ acres} = 5.0 \text{ acre feet per acre per annum}$. There are additional instructions for completing this form on the back side if needed.

As for the changes &/or additions of points of diversion, a transfer of a water right form should be filed by each of the new owners showing where they plan to install their pump(s). Enclosed are two Transfer of Water Right forms, with instructions, for convenience. Transfer applications are advertised in the county newspaper to give other water users notice that a change in being considered. Once a transfer application is approved by our Department, the proposed change can be completed. If any assistance in completing this form is needed, please refer them to our office for help. They can get assistance from one of our appropriations staff Monday through Friday, 8:00 am to 5:00 pm. If you have any questions in regard to the above, please do not hesitate to contact this office.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

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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

SEPTEMBER 13, 1993

BILLY E ANDREWS OR
JUDY L ANDREWS
PO BOX 756
GLENN'S FERRY ID 83623

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

NOTICE OF CLAIM NO.(S)
A02-07235

Dear Billy & Judy Andrews,

Enclosed is a copy(s) of the above referenced claim(s) which reflects the **CHANGE IN OWNERSHIP** of the lands and appurtenant water rights covered by this claim(s).

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

Note, the claim A02-07235, originally filed by the Stone's mentioned that they also claimed a portion of a statutory claim A02-04006. You could check back with me if you believe it may be yours? The ownership change that you submitted, did not mention it. See copy attached with your ownership change form.

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

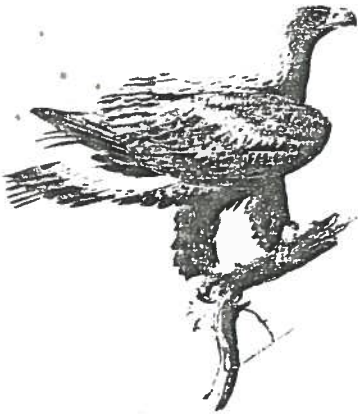
Sincerely,

A handwritten signature in cursive script, appearing to read 'Ron Howerton'.

Ron Howerton
Senior Water Agent
Adjudication Section

cc: File(s)
A02-07235
Copy of ownership change
Copy of claim A02-04006A

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SEP 19 1998



B. E. C. REALTY

RECEIVED

OCT 08 1992

P.O. BOX 760
510 W. 1st AVENUE
GLENN'S FERRY, ID 83623
BUSINESS (208) 366-2901
HOME (208) 366-2937

ELAINE CUNNINGHAM

OCTOBER 6, 1992

ADJUDICATION BUREAU
IDAH0 DEPARTMENT OF WATER RESOURCES
1301 W. CROOKED
STATEHOUSE MAIL
BOISE, IDAH0 83720

DEAR SIR3,

I HAVE ENCLOSED THE FOLLOWING DOCUMENTS TO TRANSFER THE WATER RIGHT
LICENSE #02-7235 FROM FREDERICK E. &/OR PAULINE A STONE TO THE NEW
OWNER BILLY E. &/OR JULY L. ANDREWS.

- (1) NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP:
- (2) COPY OF RECORDED DEED #270614 _____;
- (3) COPY OF WATER RIGHT # 02-7235 _____;
- (4) SET OF MILLER LANE SURVEY OF THE PROPERTY:

PLEASE SEND A COPY OF THE TRANSFER BACK TO B.E.C. REALTY
P.O. BOX 760
GLENN'S FERRY, IDAH0 83623

THANK YOU,

Elaine Cunningham
ELAINE L. CUNNINGHAM
B.E.C. REALTY

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SEP 19 1996

WATER RIGHT LICENSE

capacity for the diversion of 0.02 cfs of water
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 0.30 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 75.0 acre feet per year, said waters to be diverted within the Gov. Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 32, Twp 5S, Rge 10E in the County of Elmore

Description and location of place of use:

[illegible]

Total number of acres irrigated 15

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AUG 16 1994

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CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23RD day of April, 19 86.

Acting for the Director



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Copy

02-7235

Permit No.

Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Pressure gauge - Ave readings - 46 PSI

Melson Big Gun 3/8" nozzles = 27.8 GPM x 10 hds x

1002228 = .62 cfs Total diversion

Theoretical

13.75 HP x 8.8 x .80 = 96.8

50 + .43 / 46 PSI (106.9) = 156.97 / 96.8 = .62 cfs

15 acres x .02 = .30 Recommended

15

- b) Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15 \times 5 = 75$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .62 \times 245 \times 1.9835 = 301$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 75$

- c) Volume Calculations for Other Uses:

none

Overlap Review

- a) Other water rights with same place of use: none

- b) Other water rights with same point of diversion: none

- c) Analysis:

APR 10 2003

RECOMMENDED AMOUNTS

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
02-7235		.30			.62

4. Permit Holder: Frederick E & or Pauline A. Stone

Address: Box 247 Glenns Ferry, Ida 83423

5. Source: Snake River tributary to Columbia River

6. Beneficial Use

	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
--	-----------------------	----	------------------------------	--------------------------

<u>Irrigation</u>	<u>3/15</u>	<u>11/15</u>	<u>.30</u>	<u>75</u>
-------------------	-------------	--------------	------------	-----------

Allowable Maximums: _____

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
	1		NE	NE	32	55	10E	Elmore

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
55	10E	32	14.75																14.75
		33						42	.25										.25
Total Acres																			15.0

9. Recommended Conditions/Remarks: _____

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature John H. Noyes Date 6/24/85

Checked in Regional Office by _____ Date _____

Approved in State Office by _____ Date _____

STATE OF IDAH
DEPARTMENT OF WATER
BENEFICIAL USE FIE

02-7235
FREDERICK E. STONE
P/O: SEC 32 TWP 35S RNG 10E
IRRIGATION? Y

Permit No. 02-723

1. Owner: Frederick E & or Pauline H. Stone Phone No. 866-22
Current Address: Box 247 Glenn Ferry 83623

2. Accompanied by: Frederick E Stone EXAM. DATE: 3/21/85
Address: _____ Phone No. _____
Relationship to Permit Holder: applicant

3. Source: _____ tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. & Discharge Size
Use natural Ford	15 app				
gas.	Jr. Eng.		04625-4-11	Cornell	30270
			TA		

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, et
Suction pipe in ponded area on Snake River to a water
gas engine - 6 inch & 4 inch mainline - 3 inch lateral
uses Big gun nozzle on bottom land & pressure
on sprinkler system on hillside. Run about
10 to 3 1/8" (Big gun) nozzle.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Ca D.
Pressure gauge						

7. Measurements ☐ Additional data/computation sheets attached

Big gun Nelson 3 1/8" nozzle at pressure 46 PSI
Nelson F80A 40 PSI = 27.8 GPM
50 " = 28.8
15 acres x .02 = .30 CFS 5 AF x 15 = 75 AF

8. Point(s) of Diversion: _____ Indicate Method of Determination

Ident #	1/4	1/4	1/4	Sec.	Twp.	Rge.	Survey Information from Known Corner	County	Remarks
41		NE	NE	32	55	10E		Blaine	

9. Place(s) of Use: _____ Irrigation - give acres served by system at time of exam.
Indicate Method of Determination

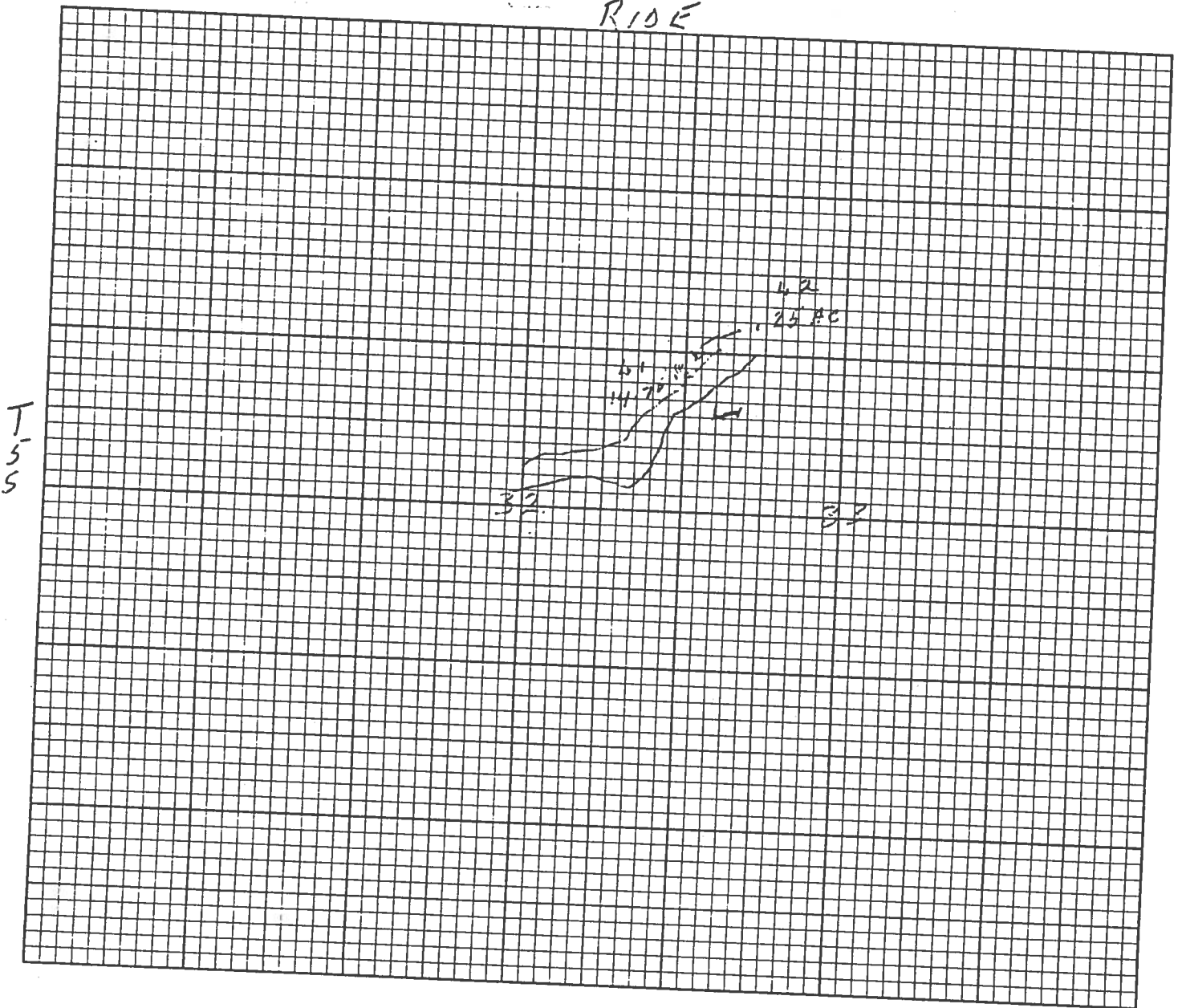
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				To
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			LT1																
55	10E	32	14.75															14.75	
56	10E	83						42										.25	
								125											

Total Acres 15.0

11. Other water right diverted from same p.d. None

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

RIDE



☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

Remarks 18.5 total acres in farm - excluding house
5 odd acres not irrigated 15 acres appears to be
irrigated. To recognize land in Sec 33 - there was
approximately .25 ac.

Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's/Consultant's Signature John F. Noyle

Date 6/23/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination 6/21/85

Date

CONSULTANT SEAL

VER 1.0.00