

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST., STE .200
TWIN FALLS, ID 83301-3380
(208) 736-3033

RECEIVED
SEP 20 2000
Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s): 71-02054, 71-02047B, 71-04018

☐ Old Mailing Address: C PETRE HUMPHREYS, TRUSTEE

W. MICHAEL HUMPHREYS, TRUSTEE

THE HUMPHREYS FAMILY TRUST

72 ABBOTT RD.

WELLESLEY HILLS, MA 02181

☐ New Mailing Address: C PETRE HUMPHREYS, TRUSTEE

W. MICHAEL HUMPHREYS, TRUSTEE

THE HUMPHREYS FAMILY TRUST

480 RANDOLPH AVE.

MILTON, MA 02186

☐ New Telephone Number: (781) 890-2244

☐ Signature of Claimant(s): W. Michael Humphreys

C. Petre Humphreys

Date: _____

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:

Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED
SEP 20 2000
Department of Water Resources
Southern Region

Claim Number (s): 71-02054, 71-02047B, 71-04018

Previous Mailing Address: C PETRE HUMPHREYS, TRUSTEE

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480 RANDOLPH AVE.

MILTON, MA 02186

Telephone Number: (781) 890-2244

Signature of Claimant(s): W. Michael Humphreys

C. Petre Humphreys

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
FAX 208/525-7177

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

September 19, 2000

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

RECEIVED

SEP 20 2000

Department of Water Resources
Southern Region

**Re: Water Right No. 71-02054, 71-02047B, 71-04018
Humphreys - Change of Address**

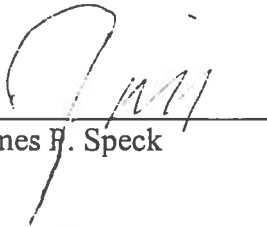
Dear Allen:

Enclosed you will find two Change in Address forms for the above-referenced water rights for which Partial Decrees were recently issued by the SRBA Court. Please let me know if it is necessary to file anything with the SRBA Court to complete the processing of the address change.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosures
cc: clients (w/encls.)
Nick Spencer (w/encls.)

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: **A71-02047B**
Date Received: 2/ 6/1990
Receipt No: S011132
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: W MICHAEL HUMPHREYS 781-890-2244
Address: 10495 STONE QUARRY ROAD
PAYETTE ID 83661

AND

Name: C PETRE HUMPHREYS 781-890-2244
Address: 10495 STONE QUARRY ROAD
PAYETTE ID 83661

2. Date of Priority: MAR 25, 1925

3. Source: CHAMPION CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	14E	13	NE	SW	SW		CUSTER
		23	NW	NW	NW		CUSTER

5. Description of diverting works:
DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	2.800		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	15	SW	NW		IRR	10.0
			SE	NW		IRR	10.0
			NE	SW		IRR	37.0
			NW	SW		IRR	40.0
			SE	SW		IRR	23.0
			NW	SE		IRR	5.0
			SW	SE		IRR	15.0

Section Acres 140.0

Total Acres 140.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

71-02054, 71-04018

14. Remarks:

DWR NOTE

ITEM #12 P/U OWNERSHIP MARKED YES & NO BOTH. NO EXPLANATION GIVEN.

MICROFILM OF LICENSE SHOWS: "ALSO, NATURAL MEADOW 60."

DATABASE SHOWS: "P/U INCOMPLETE. AC. IRR.=140."

CLAIM REPRESENTS ENTIRE RIGHT AS ORIGINALLY LICENSED.

OWNERSHIP CHANGE 3/19/92 BY JG.

10/20/98 TF; OWNERSHIP CHANGED VON HAGEN FAM TRUST TO HUMPHREYS PER 1409(6), WARRANTY AND QUITCLAIM DEEDS REC'D 10/16/98.

8/30/99, DJ: DRAFT AMENDED CLAIM RECEIVED THIS DAY WITH MOTION TO AMEND. FINALIZATION PENDING ORDER GRANTING MOTION.

15. Basis of Claim: LICENSE

Water Right Number: 16201

RECEIVED

AUG 30 1999

Department of Water Resources
Southern Region

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

In Re SRBA

)

Subcase 71-02047B

)

(Insert water right number)

)

Case 39576

)

STANDARD FORM 4

)

)

MOTION TO FILE:

)

☐ LATE NOTICE OF CLAIM

)

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is _____

My address is _____

My phone number is: Work _____ Home _____

I am an attorney representing W. Michael Humphreys and Candace P. Humphreys

My name is James P. Speck

My address is Speck & Aanestad, A Professional Corporation
PO Box 987, Ketchum, ID 83340

My phone number is 208-726-4421

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Claim filed by prior owner failed to include specific identification of
60 acres within the total 140 acre claimed place of use. The amended
Claim identifies those irrigated acres.

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Blaine

James P. Speck, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

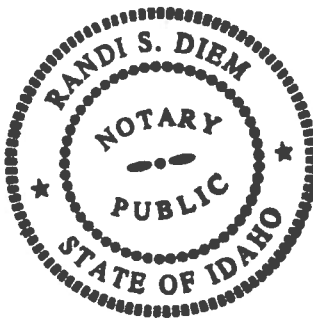
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Signature of person filing motion

J.P. Speck

Attorney signing in representative capacity

Subscribed and sworn to before me on August 27, 1999.
(Insert Date)



Randi S. Diem

Notary Public for Idaho
Residing at: Hailey, ID
My Commission expires: 8-29-03

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on August 27, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

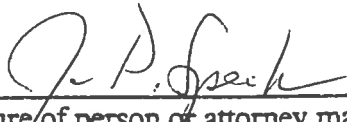
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

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

CIVIL CASE NUMBER: 39576

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

Ident Number 71-02047B

Date Received

Receipt Number

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

1. **Name of Claimant(s):** W. Michael Humphreys & Candace P. Humphreys
Phone: 1-781-890-2244
Mailing Address: 10495 Stone Quarry Road
Payette, Idaho 83661
2. **Date of Priority:** March 25, 1925
3. **Source of water supply (a)** Champion Creek
which is tributary to (b) Salmon River
4. **a. Location of point of diversion is:**

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
8N	14E	13	NE	SW	SW		Custer
8N	14E	23	NW	NW	NW		Custer

Additional points of diversion if any:

5. **Description of existing diversion works:** headgate, ditch, flood irrigation

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	May 1	October 31	2.8 cfs

7. Total Quantity Claimed: 2.8 cfs

8. Non-irrigation uses:

9. Place of use:

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>
8N	14E	15							10	10	37	40		23		5	15		140
TOTALS																			140.0

10. Place of use is located in Custer County.

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

12. Describe any other water rights used at the same place and for the same purposes as described above?
71-02054 and 71-04018.

13. Remarks:

Last Name: Humphreys

H:\WPDATA\JIM\Humphreys\SRBA\71-02047B\AmendNoticeClaim.wpd

Ident No. 71-02047B

8/27/99

MAP OF PROJECT

(Show clearly the point of diversion, place of use, section number, township and range number)

Scale: 2 inches equals 1 mile

See attached GIS photo/map

Last Name: Humphreys

H:\WPDATA\JIM\Humphreys\SRBA\71-02047B\AmendNoticeClaim.wpd

Ident No. 71-02047B

8/27/99

14. Basis of Claim: License

IDWR Water Right Number: 71-02047

Court:

Case Number:

Decree Date:

Plaintiff v. Defendant:

15. Signature(s)

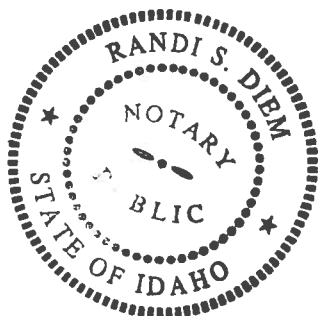
(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) W. Michael Humphreys, by Date 8/27/99
W. MICHAEL HUMPHREYS
J. P. Spade, his attorney-in-fact

State of Idaho)
) ss.
County of Blaine)

Subscribed and sworn before me this 27th day of August, 1999.



Randi S. Diem
Notary Public for Idaho
Residing at Hailey, ID
Commission Expires 8-29-03

Last Name: Humphreys

H:\WPDATA\JIM\Humphreys\SRBA\71-02047B\AmendNoticeClaim.wpd

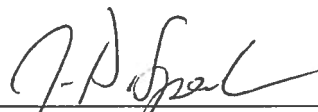
Ident No. 71-02047B

8/27/99

16. Notice of Appearance:

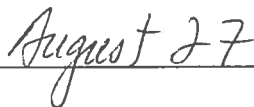
Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: _____



James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
P.O. Box 987
Ketchum, ID 83340

Date: _____



, 1999.

Last Name: Humphreys

H:\WPDATA\JIM\Humphreys\SRBA\71-02047B\AmendNoticeClaim.wpd

Ident No. 71-02047B

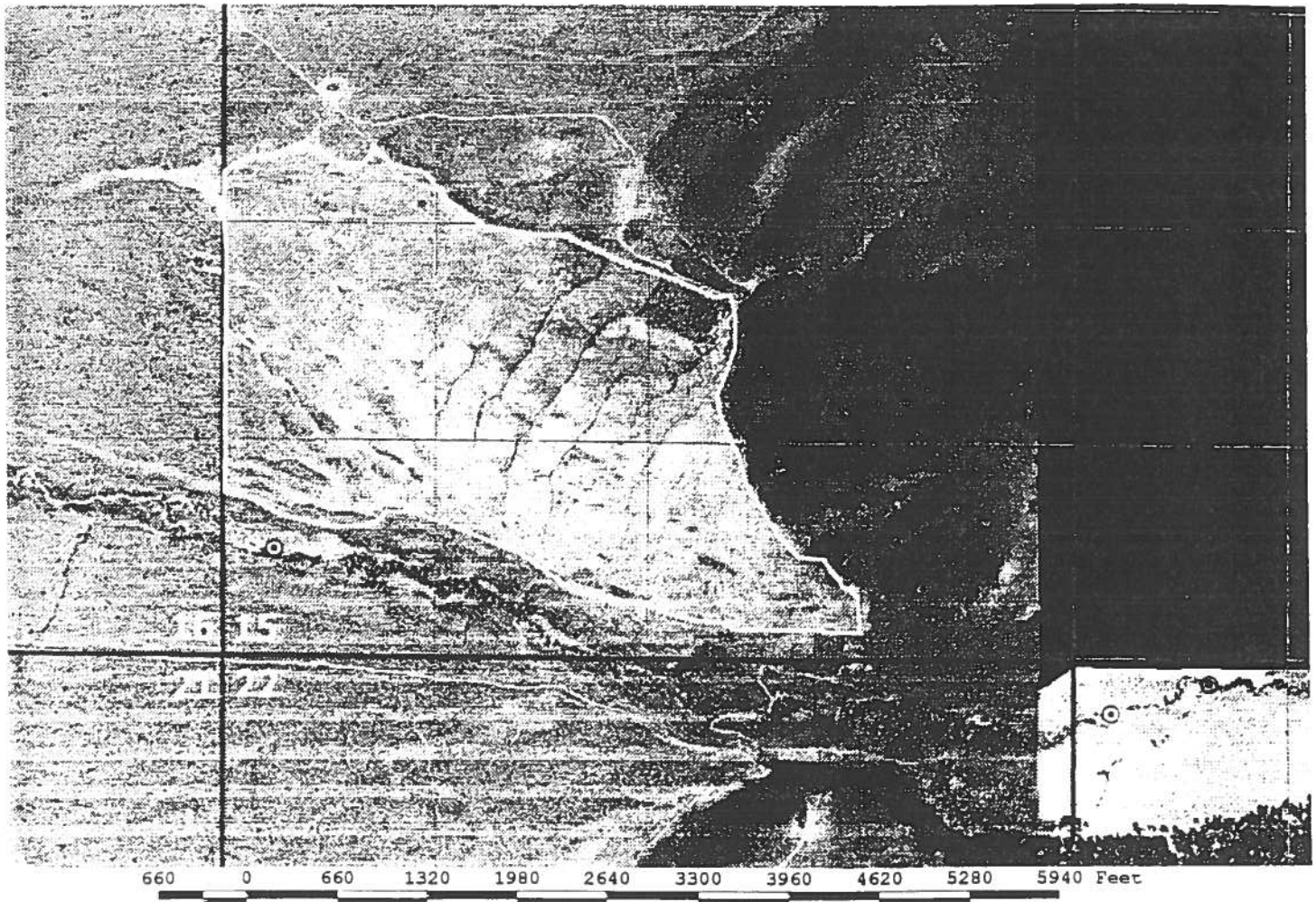
8/27/99

IDAHO DEPARTMENT OF WATER RESOURCES

71-02047B, 71-02054, & 71-04018

SOURCE = CHANPION CREEK

VON HAGEN FAMILY TRUST



RECOMMENDED PLACE OF USE
DATA ENTRY ON JUNE 8, 1998
TWP 8N, RNG 14E,
SEC 15



RECOMMENDED PLACE OF USE

• RECOMMENDED POINT OF DIVERSION

== SECTION LINES

QUARTER QUARTER LINES

STREAM AND DITCH CHANNELS

COPY

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

I, W. MICHAEL HUMPHREYS, individually and as trustee of THE HUMPHREYS TRUST, designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

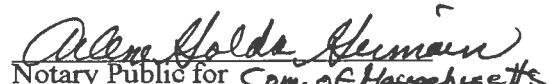
IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 26th day of April, 1999.


W. MICHAEL HUMPHREYS

STATE OF Massachusetts)
) ss.
County of Essex)

On this 26th day of April, 1999, before me, the undersigned notary public in and for said state, personally appeared W. MICHAEL HUMPHREYS, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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


Notary Public for Com. of Massachusetts
Residing at: Swampscott, MA
Commission expires 4/6/01

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: A71-10140
Date Received: 1/11/1990
Receipt No: S010923
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK W. REDMOND, II 805-485-5150
Address: 4577 GOLF COURSE DR.
WEST LAKE, CA 91362

AND
Name: RANDALL HAYS
Address: 5627 TERRA BELLA LN.
CAMARILLO, CA 93010

2. Date of Priority: JUL 31, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	22	NW	NE			CUSTER

5. Description of diverting works:
200' WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	14E	22	NW NE		DOMEST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

This Copy For Your Records
DO NOT RETURN

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

August 27, 1999

Special Master Brigitte Bilyeu
SRBA District Court
P. O. Box 2707
Twin Falls ID 83303-2707

RECEIVED
AUG 30 1999
Department of Water Resources
Southern Region

RE: SRBA Subcases 71-02047B and 71-02085B

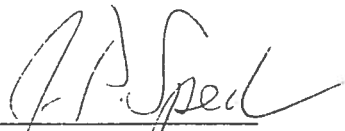
Dear Special Master Bilyeu:

Enclosed please find the original and one copy each of a Motion to File Amended Notice of Claim in the above-referenced Subcases together with a copy of the Special Power of Attorney (Water Rights) signed by W. Michael Humphreys and designating me as his attorney in fact. Please file the Motions and have your clerk conform the copies and return them to me in the stamped and addressed envelope I have also enclosed for that purpose.

Please contact me right away if you have any questions about these Motions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd

enclosures

cc: client, w/encl.
Doug Jones, IDWR, w/encl. ✓
Sarah Denniston, IDWR, w/encl.

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: A71-02047B

Date Received: 2/ 6/1990

Receipt No: S011132

Received By:

Per Request Rosholt's Office
changed spelling on Loyd to

NOTICE OF CLAIM TO A WATER RIGHT Lloyd. jg
ACQUIRED UNDER STATE LAW

1. Name: VON HAGEN FAMILY TRUST
Address: C/O LLOYD CORPORATION
12400 WILSHIRE BLVD. #1180
LOS ANGELES CA 90025

2. Date of Priority: MAR 25, 1925

3. Source: CHAMPION CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	23	NE	NE			CUSTER

5. Description of diverting works:
DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.800		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	15	SW	NW		IRR	10.0
			SE	NW		IRR	10.0
			NE	SW		IRR	20.0
			NW	SW		IRR	10.0

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 2-27-92

PLEASE SEE ATTACHED WARRANTY DEED WITH PROPERTY DESCRIPTION
LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, 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: A71-02047B; A71-02054; A71-04018; A71-10162
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Fourth of July Creek Ranch, Inc.
24701 Dana Drive
Dana Point, CA 92629
- ☐ New Owner/Claimant (Purchaser): Von Hagen Family Trust
- ☐ New Mailing Address: c/o Loyd Corporation *Per Request Rosholt's Office -
12400 Wilshire Blvd., Suite 1180 changed Loyd to LLOYD. 8/25/93 jg
Los Angeles, CA 90025
- ☐ New Telephone Number: () -
- ☐ 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: Warranty Deed With Property Descriptions

(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) Ronald Von Hagen, Trustee Date 2/27/92
RONALD VON HAGEN, Co-Trustee of the Date _____
Von Hagen Family Trust
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 2/19/92 By: SC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 2/19/92 By: SC

Claim Numbers of Split, if any:

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

ACTION REQUIRED

FROM: Judy - Adjudication Secretary

DATE: 8/25/93

TO: Field Examiner

Crystal Vincent - Rosholt's Office - says for field exam get ahold of Ronald Von Hagen at 726-4564.

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: **A71-02047B**
Date Received: 2/ 6/1990
Receipt No: S011132
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: W MICHAEL HUMPHREYS 781-890-2244
Address: 72 ABBOTT RD
WELLESLEY HILLS MA 02181
AND
Name: C PETRE HUMPHREYS 781-890-2244
Address: 72 ABBOTT RD
WELLESLEY HILLS MA 02181

2. Date of Priority: MAR 25, 1925

3. Source: CHAMPION CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	23	NE	NE	NE		CUSTER

5. Description of diverting works:
DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.800		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	15	SW	NW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
08N	14E	15	SE	NW		IRR	10.0
			NE	SW		IRR	20.0
			NW	SW		IRR	10.0
			SE	SW		IRR	10.0
			NW	SE		IRR	5.0
			SW	SE		IRR	15.0
						Section Acres	80.0
						Total Acres	80.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A71-02054, 04018

14. Remarks:

DWR NOTE

ITEM #12 P/U OWNERSHIP MARKED YES & NO BOTH. NO EXPLANATION GIVEN.

MICROFILM OF LICENSE SHOWS: "ALSO, NATURAL MEADOW 60."

DATABASE SHOWS: "P/U INCOMPLETE. AC. IRR.=140."

CLAIM REPRESENTS ENTIRE RIGHT AS ORIGINALLY LICENSED.

OWNERSHIP CHANGE 3/19/92 BY JG.

10/20/98 TF; OWNERSHIP CHANGED VON HAGEN FAM TRUST TO HUMPHREYS
PER 1409(6), WARRANTY AND QUITCLAIM DEEDS REC'D 10/16/98.

15. Basis of Claim: LICENSE

Water Right Number: 16201

RECEIVED
OCT 16 1998
Department of Water Resources
Southeast Region

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): A71-02047B; A71-02054; A71-04018; A71-10162
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant VON HAGEN FAMILY TRUST c/o LLOYD CORPORATION
12400 WILSHIRE BLVD, SUITE 1180; LOS ANGELES CA 90025
4. New Owner/Claimant(s) W. MICHAEL HUMPHREYS AND C. PETRE HUMPHREYS
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 72 ABBOTT ROAD
City, State and ZIP Code WELLESLEY HILLS MA 02181
New Telephone Number (781) 890-2244
5. Date you acquired the property JULY 5, 1996
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 562 Number and type of stock _____
Diversion rate in CFS _____ Number of homes 2 Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner x W. Michael Humphreys
or Claimant(s) x C. Petre Humphreys
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

0211385

WARRANTY DEED

For Value Received THERESA V. H. BUCHER AND RONOLD L. VON HAGEN,
CO-TRUSTEES OF THE VON HAGEN FAMILY TRUST,

The grantors, do hereby grant, bargain, sell and convey unto W. MICHAEL HUMPHREYS AND
C. PETRE HUMPHREYS, TRUSTEES OF THE HUMPHREYS FAMILY TRUST-JANUARY 17, 1994

the grantees, whose current address is 72 Abbott Road, Wellesley, Massachusetts 02181

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

See Attached Exhibit "A"

BUYERS

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever And the said Grantors do hereby covenant to and

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } S.S.

On July 3rd, 1996 before me,

Bob Edwards

a Notary Public in and for said County and State, personally appeared
THERESA V. H. BUCHER

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the Instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

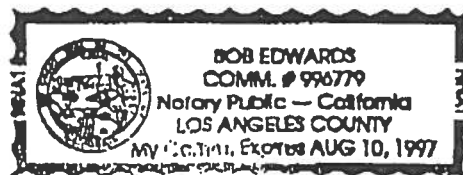
WITNESS my hand and official seal

Signature

Bob Edwards

F 2492 (5-91)

FOR NOTARY SEAL OR STAMP



known or identified to me to be the person whose name
subscribed to the within Instrument, and acknowledged to me
that executed the same.

Meighan K Berberich

Notary Public

Residing at
Comm. Expires

6/1/2000

, Idaho

19 , in my office, and duly recorded in Book
of Deeds at Page

Ethel M. Peck

Ex-Officio Recorder

By

Bushman C Breedlove

Deputy.

Fees \$ 12.00

Mail to:

MEIGHAN K. BERBERICH
NOTARY PUBLIC
STATE OF COLORADO

EXHIBIT "A"

All of Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, EXCEPTING THEREFROM A tract of land in the S½S½ of said Section 15 described as follows:

Beginning at a stone marking the Southwest corner of said Section 15; thence North 0°02' West, along the Westerly boundary of said Section 15, 391 feet; thence South 75°41' East, 349.0 feet; thence South 79°30' East, 658.0 feet; thence North 0°02' West, 728.0 feet; thence South 77°59' East, 367.0 feet; thence South 68°31' East, 556.0 feet; thence South 53°02' East, 213.0 feet; thence South 60°06' East, 713.0 feet; thence South 89°59' East along a line which is parallel to and 150.0 feet North of the Southerly boundary of said Section 15, 1,315 feet, more or less, to a point which is North 150.0 feet from a point of the Southerly boundary of said Section which is 1,321.32 feet Westerly from the Southeast corner of said Section; thence North 232.0 feet; thence South 58°36' East, 272.0 feet; thence South 72°04' East, 270.0 feet; thence South 88°36' East, 343.0 feet; thence North 80°22' East, 122.0 feet; thence North 43°59' East, 532.92 feet to the Easterly boundary of said Section; thence South 0°06' West along said boundary 553.0 feet to the Southeast corner of said Section; thence North 89°59' West along the Southerly boundary of said Section, 5,285.28 feet, more or less, to the Point of Beginning,

AND EXCEPTING THEREFROM the following described property:

A strip of land 66 feet in width traversing the following described real property:

The Northwest Quarter of the Northeast Quarter (NW¼NE¼) the North Half of the Northwest Quarter (N½NW¼) and the Southwest Quarter of the Northwest Quarter (SW¼NW¼) of Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho.

CONTINUED:

X T.V.H.B.
T.V.H.B.

X R.L.V.H.
R.L.V.H.

DESCRIPTION CONTINUED:

The said strip being 33 feet in width on each side of the following centerline, the said centerline being more particularly described as follows:

Beginning at a point on the West line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, said point lying South 0°02' West, 1,335.0 feet from the corner common to Sections 9, 10, 15 and 16, Township 8 North, Range 14 East, Boise Meridian, which point is known as Engineer's Station P.O.C. 52+74.0; said point being a point on a curve, the back tangent of which bears South 75°41' East; thence along the following courses and distances:

BEARING	TANGENT DISTANCE IN FEET	CURVE L-R	CENTRAL ANGLE	RADIUS IN FEET	ARC DIS.
N. 85°23' E.	354.8	L	9°10.3'	1,909.86	305.7
N. 65°29' E.	1,576.6	L	19°54'	1,637.02	568.6
N. 56°24' E.	520.2	L	9°05'	2,864.79	454.2

Ending at a point which is 822.7 feet, North 89°57' East, from the North Quarter corner of said Section 15, Township 8 North, Range 14 East, Boise Meridian, which point is known as Engineer's Station P.O. T. 90+54.1.

The boundary lines of said right-of-way and easement shall be prolonged or shortened to begin and end on, and conform to, the property lines.

ALSO EXCEPTING THEREFROM:

A parcel of land in Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, more particularly described as follows, lying North of Forest Service Road:

Commencing at a stone marking the NW Corner of said Section 15, and said corner being the True Point of Beginning,

thence South 89°58'21" East, 2,647.31 feet to a stone marking the N $\frac{1}{4}$ corner of said Section 15;

thence North 89°57'26" East, 763.00 feet along the Northern boundary of said Section 15 to the Northwestern boundary of U.S. Forest road no. 70209;

thence South 56°24'00" West, 470.45 feet along the Northwestern boundary of said forest road;

thence 448.94 feet along a curve to the right with a central angle of 9°05'00", a radius of 2,831.79 feet, and a long chord of 448.47 feet that bears South 60°56'30" West, along the Northwestern boundary of said forest road;

CONTINUED:

T.V.H.B.

R.L.V.H.

DESCRIPTION CONTINUED:

thence South $65^{\circ}29'00''$ West, 1,576.60 feet along the Northwesterly boundary of said forest road;

thence 557.11 feet along a curve to the right with a central angle of $19^{\circ}54'$, a radius of 1,604.02 feet, and a long chord of 554.31 feet that bears South $75^{\circ}26'00''$ West, along the Northerly boundary of said forest road;

thence South $85^{\circ}23'00''$ West, 354.80 feet along the Northerly boundary of said forest road;

thence 302.73 feet along a curve to the right with a central angle of $9^{\circ}14'30''$, a radius of 1,876.86 feet, and a long chord of 302.41 feet that bears North $89^{\circ}59'44''$ West along the Northerly boundary of said forest road to the Westerly boundary of said Section 15;

thence North $0^{\circ}01'29''$ East, 1,301.04 feet along the Westerly boundary of said Section 15 to the True Point of Beginning.

X T V H B
T.V.H.B.

X R L V H
R.L.V.H.

0211386

QUITCLAIM DEED

For Value Received THERESA V. H. BUCHER AND RONOLD L. VON HAGEN,
CO-TRUSTEES OF THE VON HAGEN FAMILY TRUST

do hereby convey, release, remise and forever quitclaim unto W. MICHAEL HUMPHREYS AND C. PETRE
HUMPHREYS, TRUSTEES OF THE HUMPHREYS FAMILY TRUST-JANUARY 17, 1994

whose current address is 72 Abbott Road, Wellesley, Massachusetts 02181

the following described premises, to-wit:

See attached Exhibit "A"

Together with all water rights appurtenant to the real property described in
Exhibit "A" attached hereto, specifically including, but not limited to, the
following itemized rights:

<u>Source</u>	<u>Priority</u>	<u>CFS</u>	<u>Old Number</u>	<u>SRBA Claim #</u>
Champion Creek	3/25/1925	2.3	License 16201	71-02047
Champion Creek	7/28/1930	2.8	License 17343	71-02054
Champion Creek	1925	2.4	Statutory Claim	71-4018

AND together with all the undersigned's right, title and interest, if any, in and to
the following itemized water rights which have lapsed:

<u>Source</u>	<u>Priority</u>	<u>CFS</u>	<u>Old Number</u>	<u>SRBA Claim #</u>
Fourth of July Creek	9/23/81	2.0	Permit 71-7069	
Groundwater	1/27/82	.875	Permit 71-7074	

EXHIBIT "A"

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AND EXCEPTING THEREFROM the following described property:

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The Northwest Quarter of the Northeast Quarter (NW¼NE¼) the North Half of the Northwest Quarter (N½NW¼) and the Southwest Quarter of the Northwest Quarter (SW¼NW¼) of Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho.

CONTINUED:

X T.V.H.B.
T.V.H.B.

X R.L.V.H.
R.L.V.H.

DESCRIPTION CONTINUED:

The said strip being 33 feet in width on each side of the following centerline, the said centerline being more particularly described as follows:

Beginning at a point on the West line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, said point lying South 0°02' West, 1,335.0 feet from the corner common to Sections 9, 10, 15 and 16, Township 8 North, Range 14 East, Boise Meridian, which point is known as Engineer's Station P.O.C. 52+74.0; said point being a point on a curve, the back tangent of which bears South 75°41' East; thence along the following courses and distances:

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N. 65°29' E.	1,576.6	L	19°54'	1,637.02	568.6
N. 56°24' E.	520.2	L	9°05'	2,864.79	454.2

Ending at a point which is 822.7 feet, North 89°57' East, from the North Quarter corner of said Section 15, Township 8 North, Range 14 East, Boise Meridian, which point is known as Engineer's Station P.O. T. 90+54.1.

The boundary lines of said right-of-way and easement shall be prolonged or shortened to begin and end on, and conform to, the property lines.

ALSO EXCEPTING THEREFROM:

A parcel of land in Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, more particularly described as follows, lying North of Forest Service Road:

Commencing at a stone marking the NW Corner of said Section 15, and said corner being the True Point of Beginning,

thence South 89°58'21" East, 2,647.31 feet to a stone marking the N $\frac{1}{4}$ corner of said Section 15;

thence North 89°57'26" East, 763.00 feet along the Northern boundary of said Section 15 to the Northwestern boundary of U.S. Forest road no. 70209;

thence South 56°24'00" West, 470.45 feet along the Northwestern boundary of said forest road;

thence 448.94 feet along a curve to the right with a central angle of 9°05'00", a radius of 2,831.79 feet, and a long chord of 448.47 feet that bears South 60°56'30" West, along the Northwestern boundary of said forest road;

CONTINUED:

T.V.H.B.
T.V.H.B.

R.L.V.H.
R.L.V.H.

DESCRIPTION CONTINUED:

thence South $65^{\circ}29'00''$ West, 1,576.60 feet along the Northwesterly boundary of said forest road;

thence 557.11 feet along a curve to the right with a central angle of $19^{\circ}54'$, a radius of 1,604.02 feet, and a long chord of 554.31 feet that bears South $75^{\circ}26'00''$ West, along the Northerly boundary of said forest road;

thence South $85^{\circ}23'00''$ West, 354.80 feet along the Northerly boundary of said forest road;

thence 302.73 feet along a curve to the right with a central angle of $9^{\circ}14'30''$, a radius of 1,876.86 feet, and a long chord of 302.41 feet that bears North $89^{\circ}59'44''$ West along the Northerly boundary of said forest road to the Westerly boundary of said Section 15;

thence North $0^{\circ}01'29''$ East, 1,301.04 feet along the Westerly boundary of said Section 15 to the True Point of Beginning.

X T V H B
T.V.H.B.

X R.L.V.H.
R.L.V.H.

PAGE 1

06/19/97 10:27:54

CUSTOMER

PRINT KEY OUTPUT

5115551 V33640 950022

DISPLAY DEVICE T2
USER VERLA

TAX MASTER INQUIRY

PNPKY: RP 06V14E150024 4 YEAR 1995
TXPKY: RP08V14E1500044
NAME HUMPHREYS FAMILY TRUST
HUMPHREYS, MICHAEL
HUMPHREYS, C-DETR TRUSTEES
CODE AREA 4700 ACCOUNT TYPE PUP
BANK FLB OWNER
MARKET VALUE 194,098

ADDRESS 10495 STONE QUARRY ROAD
PAYETTE ID 83661
HARDSHIP
HOMEOWNER
NET MARKET 194,098

TAX AMOUNT 1,165.40
LEGAL TRACT 75-12, 1375, 87-13
NET TAX BILLED 175.00
LESS: CIRCUIT
PLUS: SPECIALS 1,340.40

N2SW4, V2SE4
SEC 15 T2N R14E
TAX PAYMENTS 1,340.40
TAX CANCELLED
SPEC CANCELLED
REMAINING TAX DUE

NEXT PARCEL# RP
F3=EXIT F1=OTHER TAXES F2=PAYMT ACTIVITY F3=TRANS ACTIVITY F2+=MORE
A OR NEXT BILL# RP 1995

Post-It Fax Note		7671	Date 6-19-97	# of pages 2
To	CRYSTAL	From	COLLEEN	
Co/Dept.		Co.	Tax Dept	
Phone #		Phone #		
Fax #	736-0041	Fax #	879-5246	

JUN 19 '97 10:40AM CUS:

ITY CLERK

P.2/2

T-75-12

MARY ELIZABETH KEMMERER

Humphreys Family Trust

Fr. NW 1/4

Sec 15

T8

137287

176957

201192

R14

211385-84

All of the NW 1/4 Sec 15 T8 R14 except T-75-11 containing 26.49 Acres deeded to John L. Kemmerer Jr. deed # 137287

133.51 Acres

21.91 ac Part of T8-12

111.60 Ac

~~Fourth of July Ranch~~

T-87-13

parcel#

08N14E150002

HAROLD & FLORA JENASSEN

~~VAN HAGEN TRUST~~

Humphreys Family Trust

193378

176957

201192

211385-86

~~Fourth of July Ranch~~

A parcel of land in Section 15 T8N14E, BM, Custer County Idaho described as:

The remainder of the NW 1/4 South of the Forest Road containing 31 acres M/L.

~~Fourth of July Ranch~~

T - 1375

~~Harold & Flora Jassen~~
Dale S. Reynolds

118.80 ac.

211385-86

136811

~~Harold & Flora Jassen~~

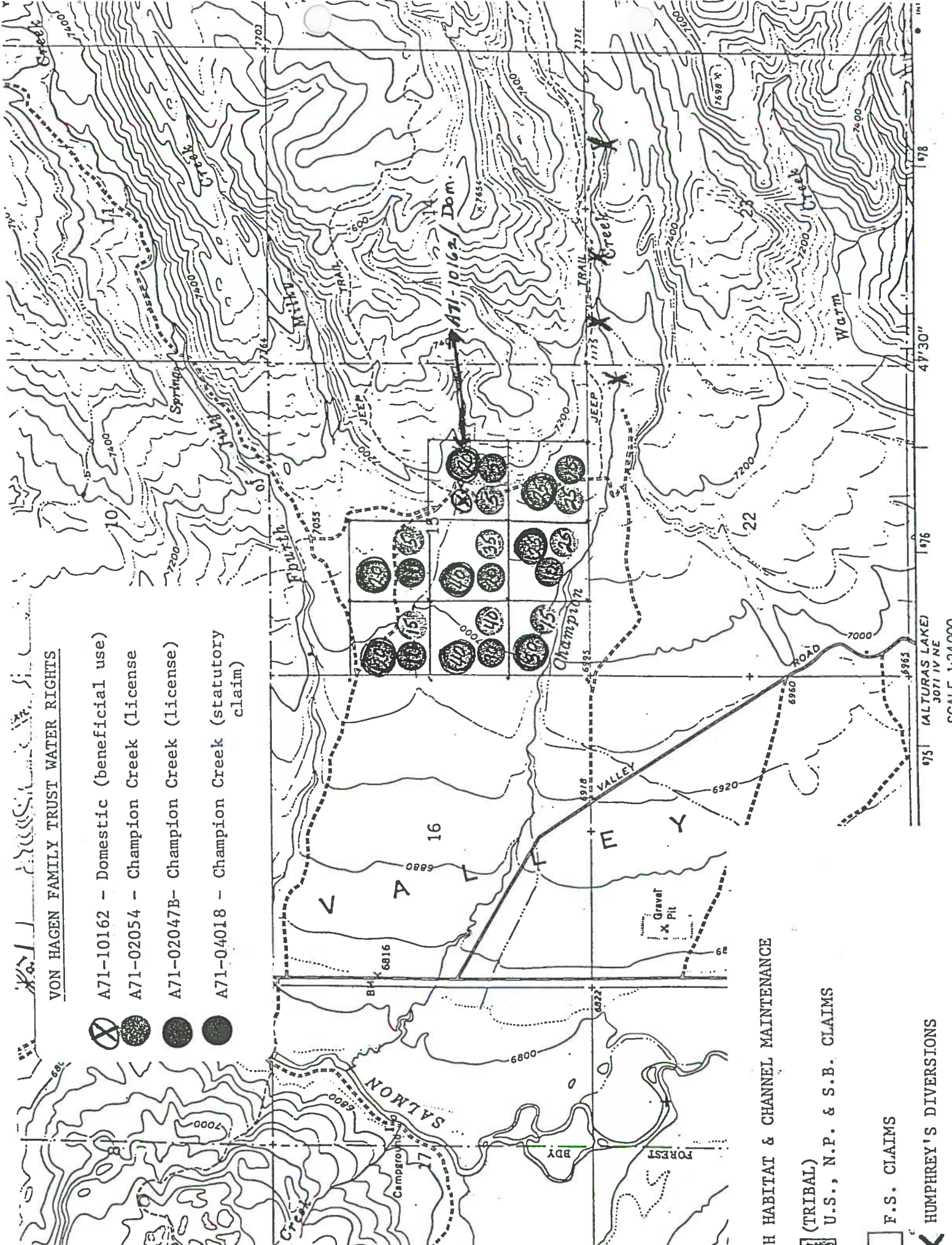
Humphreys Family Trust

176957

176957

193378

Fr. S 1/2 Sec. 15, T8 R14 ~~VAN HAGEN TRUST~~
Beginning at a point which is N 0° 2' W. 391 ft. from the SW corner of Sec. 15; thence S. 75° 41' E. 349 ft.; thence S. 79° 30' E. 658 ft.; thence N 0° 02' W. 728 ft.; thence S 77° 59' E. 367 ft.; thence S. 68° 31' E. 556 ft.; thence S 53° 02' E. 213 ft.; thence S. 60° 06' E. 713 ft.; thence S 89° 59' E. to a point 150 ft. N. of the S'ly boundary line of Sec. 15, for a distance of 1315 ft.; thence N. 232 ft. thence S 58° 36' E. 272 ft.; thence S 72° 04' E. 270 ft.; thence S. 88° 36' E. 343 ft.; thence N. 80° 22' E. 122 ft.; thence N. 43° 59' E. 532.92 ft. to the E'ly boundary of Sec. 15; thence N 0° 06' W. 767 ft. to the NE corner of S 1/2; thence S. 929 ft. to a point which is N 0° 02' W. 391 ft. from the SW corner of Sec. 15.



VON HAGEN FAMILY TRUST WATER RIGHTS

- A71-10162 - Domestic (beneficial use)
- A71-02054 - Champion Creek (license)
- A71-02047B- Champion Creek (license)
- A71-04018 - Champion Creek (statutory claim)

SH HABITAT & CHANNEL MAINTENANCE

(TRIBAL)
U.S., N.P. & S.B. CLAIMS

F.S. CLAIMS

HUMPHREY'S DIVERSIONS

ALTURAS LAKE
3071 IV NE
SCALE 1:24000

10

15

FSN-337

Von Higgs Family Trust

T-503

1615

2122

INC.

C-132

L. NELSON

72 Abbott Road
Wellesley, MA 02181
October 12, 1998

RECEIVED

OCT 16 1998

IDWR Southern Regional Office
1341 Fillmore St. Suite 200
Twin Falls, ID 83301-3380

Department of Water Resources
Southern Region

Dear Sirs:

I have enclosed a second copy of your form, Notice Of Change In Water Right Ownership to document the change in ownership of water rights formerly held by the Von Hagen Family Trust.

Please contact me as soon as possible if you have questions or concerns about this filing.

As you know this form was filed initially over one year ago, and only recently was I informed through the offices of Rosholt, Robertson & Tucker that you were not satisfied with the earlier filing.

I hope this will resolve this matter.

Sincerely,



W. Michael Humphreys

Cc: Von Hagen Family Trust
C/o Lloyd Corporation
12400 Wilshire BLVD. Suite 1180
Los Angeles, CA 90025

RECEIVED JUL 08 1997

Form 42-248/42-1409(6) February 3, 1997

RECEIVED

JUL 10 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: PERMITS 71-7074 & 71-7069
Adjudication Claim No(s).: A71-02047B; A71-02054; A71-04018; A71-10162
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant VON HAGEN FAMILY TRUST c/o LLOYD CORPORATION
12400 WILSHIRE BLVD, STE 1180; LOS ANGELES CA 90025
4. New Owner/Claimant(s) W. MICHAEL & CANDACE P. HUMPHREYS
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 72 ABBOTT ROAD
City, State and ZIP Code WELLESLEY HILLS MA 02181
New Telephone Number (617) 890-2244
5. Date you acquired the property July 5, 1996
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 562 Number and type of stock _____
Diversion rate in CFS _____ Number of homes 2 Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) W. Michael Humphreys
Candace P. Humphreys
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

0211385

WARRANTY DEED

For Value Received THERESA V. H. BUCHER AND RONOLD L. VON HAGEN,
CO-TRUSTEES OF THE VON HAGEN FAMILY TRUST,

The grantors, do hereby grant, bargain, sell and convey unto W. MICHAEL HUMPHREYS AND
C. PETRE HUMPHREYS, TRUSTEES OF THE HUMPHREYS FAMILY TRUST-JANUARY 17, 1994

the grantees, whose current address is 72 Abbott Road, Wellesley, Massachusetts 02181

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

See Attached Exhibit "A"

BUYERS

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s

EXHIBIT "A"

All of Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, EXCEPTING THEREFROM A tract of land in the S½S½ of said Section 15 described as follows:

Beginning at a stone marking the Southwest corner of said Section 15; thence North 0°02' West, along the Westerly boundary of said Section 15, 391 feet; thence South 75°41' East, 349.0 feet; thence South 79°30' East, 658.0 feet; thence North 0°02' West, 728.0 feet; thence South 77°59' East, 367.0 feet; thence South 68°31' East, 556.0 feet; thence South 53°02' East, 213.0 feet; thence South 60°06' East, 713.0 feet; thence South 89°59' East along a line which is parallel to and 150.0 feet North of the Southerly boundary of said Section 15, 1,315 feet, more or less, to a point which is North 150.0 feet from a point of the Southerly boundary of said Section which is 1,321.32 feet Westerly from the Southeast corner of said Section; thence North 232.0 feet; thence South 58°36' East, 272.0 feet; thence South 72°04' East, 270.0 feet; thence South 88°36' East, 343.0 feet; thence North 80°22' East, 122.0 feet; thence North 43°59' East, 532.92 feet to the Easterly boundary of said Section; thence South 0°06' West along said boundary 553.0 feet to the Southeast corner of said Section; thence North 89°59' West along the Southerly boundary of said Section, 5,285.28 feet, more or less, to the Point of Beginning,
AND EXCEPTING THEREFROM the following described property:

A strip of land 66 feet in width traversing the following described real property:

The Northwest Quarter of the Northeast Quarter (NW¼NE¼) the North Half of the Northwest Quarter (N½NW¼) and the Southwest Quarter of the Northwest Quarter (SW¼NW¼) of Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho.

CONTINUED:

X T.V.H.B.
T.V.H.B.

X R.L.V.H.
R.L.V.H.

DESCRIPTION CONTINUED:

The said strip being 33 feet in width on each side of the following centerline, the said centerline being more particularly described as follows:

Beginning at a point on the West line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, said point lying South 0°02' West, 1,335.0 feet from the corner common to Sections 9, 10, 15 and 16, Township 8 North, Range 14 East, Boise Meridian, which point is known as Engineer's Station P.O.C. 52+74.0; said point being a point on a curve, the back tangent of which bears South 75°41' East; thence along the following courses and distances:

BEARING	TANGENT DISTANCE IN FEET	CURVE L-R	CENTRAL ANGLE	RADIUS IN FEET	ARC DIS.
N. 85°23' E.	354.8	L	9°10.3'	1,909.86	305.7
N. 65°29' E.	1,576.6	L	19°54'	1,637.02	568.6
N. 56°24' E.	520.2	L	9°05'	2,864.79	454.2

Ending at a point which is 822.7 feet, North 89°57' East, from the North Quarter corner of said Section 15, Township 8 North, Range 14 East, Boise Meridian, which point is known as Engineer's Station P.O. T. 90+54.1.

The boundary lines of said right-of-way and easement shall be prolonged or shortened to begin and end on, and conform to, the property lines.

ALSO EXCEPTING THEREFROM:

A parcel of land in Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, more particularly described as follows, lying North of Forest Service Road:

Commencing at a stone marking the NW Corner of said Section 15, and said corner being the True Point of Beginning,

thence South 89°58'21" East, 2,647.31 feet to a stone marking the N $\frac{1}{4}$ corner of said Section 15;

thence North 89°57'26" East, 763.00 feet along the Northern boundary of said Section 15 to the Northwesterly boundary of U.S. Forest road no. 70209;

thence South 56°24'00" West, 470.45 feet along the Northwesterly boundary of said forest road;

thence 448.94 feet along a curve to the right with a central angle of 9°05'00", a radius of 2,831.79 feet, and a long chord of 448.47 feet that bears South 60°56'30" West, along the Northwesterly boundary of said forest road;

CONTINUED:

XTJH
T.V.H.B.

XRZVH
R.L.V.H.

DESCRIPTION CONTINUED:

thence South $65^{\circ}29'00''$ West, 1,576.60 feet along the Northwesterly boundary of said forest road;

thence 557.11 feet along a curve to the right with a central angle of $19^{\circ}54'$, a radius of 1,604.02 feet, and a long chord of 554.31 feet that bears South $75^{\circ}26'00''$ West, along the Northerly boundary of said forest road;

thence South $85^{\circ}23'00''$ West, 354.80 feet along the Northerly boundary of said forest road;

thence 302.73 feet along a curve to the right with a central angle of $9^{\circ}14'30''$, a radius of 1,876.86 feet, and a long chord of 302.41 feet that bears North $89^{\circ}59'44''$ West along the Northerly boundary of said forest road to the Westerly boundary of said Section 15;

thence North $0^{\circ}01'29''$ East, 1,301.04 feet along the Westerly boundary of said Section 15 to the True Point of Beginning.

X T V H B
T.V.H.B.

X R L V H
R.L.V.H.

0211386

QUITCLAIM DEED

For Value Received THERESA V. H. BUCHER AND RONOLD L. VON HAGEN,
CO-TRUSTEES OF THE VON HAGEN FAMILY TRUST

do hereby convey, release, remise and forever quitclaim unto W. MICHAEL HUMPHREYS AND C. PETRE
HUMPHREYS, TRUSTEES OF THE HUMPHREYS FAMILY TRUST-JANUARY 17, 1994

whose current address is 72 Abbott Road, Wellesley, Massachusetts 02181

the following described premises, to-wit:

See attached Exhibit "A"

Together with all water rights appurtenant to the real property described in
Exhibit "A" attached hereto, specifically including, but not limited to, the
following itemized rights:

<u>Source</u>	<u>Priority</u>	<u>CFS</u>	<u>Old Number</u>	<u>SRBA Claim #</u>
Champion Creek	3/25/1925	2.3	License 16201	71-02047
Champion Creek	7/28/1930	2.8	License 17343	71-02054
Champion Creek	1925	2.4	Statutory Claim	71-4018

AND together with all the undersigned's right, title and interest, if any, in and to
the following itemized water rights which have lapsed:

<u>Source</u>	<u>Priority</u>	<u>CFS</u>	<u>Old Number</u>	<u>SRBA Claim #</u>
Fourth of July Creek	9/23/81	2.0	Permit 71-7069	
Groundwater	1/27/82	.875	Permit 71-7074	

EXHIBIT "A"

All of Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, EXCEPTING THEREFROM A tract of land in the S½S½ of said Section 15 described as follows:

Beginning at a stone marking the Southwest corner of said Section 15; thence North 0°02' West, along the Westerly boundary of said Section 15, 391 feet; thence South 75°41' East, 349.0 feet; thence South 79°30' East, 658.0 feet; thence North 0°02' West, 728.0 feet; thence South 77°59' East, 367.0 feet; thence South 68°31' East, 556.0 feet; thence South 53°02' East, 213.0 feet; thence South 60°06' East, 713.0 feet; thence South 89°59' East along a line which is parallel to and 150.0 feet North of the Southerly boundary of said Section 15, 1,315 feet, more or less, to a point which is North 150.0 feet from a point of the Southerly boundary of said Section which is 1,321.32 feet Westerly from the Southeast corner of said Section; thence North 232.0 feet; thence South 58°36' East, 272.0 feet; thence South 72°04' East, 270.0 feet; thence South 88°36' East, 343.0 feet; thence North 80°22' East, 122.0 feet; thence North 43°59' East, 532.92 feet to the Easterly boundary of said Section; thence South 0°06' West along said boundary 553.0 feet to the Southeast corner of said Section; thence North 89°59' West along the Southerly boundary of said Section, 5,285.28 feet, more or less, to the Point of Beginning,

AND EXCEPTING THEREFROM the following described property:

A strip of land 66 feet in width traversing the following described real property:

The Northwest Quarter of the Northeast Quarter (NW¼NE¼) the North Half of the Northwest Quarter (N½NW¼) and the Southwest Quarter of the Northwest Quarter (SW¼NW¼) of Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho.

CONTINUED:

X T.V.H.B.
T.V.H.B.

X R.L.V.H.
R.L.V.H.

DESCRIPTION CONTINUED:

The said strip being 33 feet in width on each side of the following centerline, the said centerline being more particularly described as follows:

Beginning at a point on the West line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, said point lying South 0°02' West, 1,335.0 feet from the corner common to Sections 9, 10, 15 and 16, Township 8 North, Range 14 East, Boise Meridian, which point is known as Engineer's Station P.O.C. 52+74.0; said point being a point on a curve, the back tangent of which bears South 75°41' East; thence along the following courses and distances:

BEARING	TANGENT DISTANCE IN FEET	CURVE L-R	CENTRAL ANGLE	RADIUS IN FEET	ARC DIS.
N. 85°23' E.	354.8	L	9°10.3'	1,909.86	305.7
N. 65°29' E.	1,576.6	L	19°54'	1,637.02	568.6
N. 56°24' E.	520.2	L	9°05'	2,864.79	454.2

Ending at a point which is 822.7 feet, North 89°57' East, from the North Quarter corner of said Section 15, Township 8 North, Range 14 East, Boise Meridian, which point is known as Engineer's Station P.O. T. 90+54.1.

The boundary lines of said right-of-way and easement shall be prolonged or shortened to begin and end on, and conform to, the property lines.

ALSO EXCEPTING THEREFROM:

A parcel of land in Section 15, Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, more particularly described as follows, lying North of Forest Service Road:

Commencing at a stone marking the NW Corner of said Section 15, and said corner being the True Point of Beginning,

thence South 89°58'21" East, 2,647.31 feet to a stone marking the N $\frac{1}{4}$ corner of said Section 15;

thence North 89°57'26" East, 763.00 feet along the Northern boundary of said Section 15 to the Northwesternly boundary of U.S. Forest road no. 70209;

thence South 56°24'00" West, 470.45 feet along the Northwesternly boundary of said forest road;

thence 448.94 feet along a curve to the right with a central angle of 9°05'00", a radius of 2,831.79 feet, and a long chord of 448.47 feet that bears South 60°56'30" West, along the Northwesternly boundary of said forest road;

CONTINUED:

T.V.H.B.

R.L.V.H.

DESCRIPTION CONTINUED:

thence South $65^{\circ}29'00''$ West, 1,576.60 feet along the Northwesterly boundary of said forest road;

thence 557.11 feet along a curve to the right with a central angle of $19^{\circ}54'$, a radius of 1,604.02 feet, and a long chord of 554.31 feet that bears South $75^{\circ}26'00''$ West, along the Northerly boundary of said forest road;

thence South $85^{\circ}23'00''$ West, 354.80 feet along the Northerly boundary of said forest road;

thence 302.73 feet along a curve to the right with a central angle of $9^{\circ}14'30''$, a radius of 1,876.86 feet, and a long chord of 302.41 feet that bears North $89^{\circ}59'44''$ West along the Northerly boundary of said forest road to the Westerly boundary of said Section 15;

thence North $0^{\circ}01'29''$ East, 1,301.04 feet along the Westerly boundary of said Section 15 to the True Point of Beginning.

T.V.H.B.
T.V.H.B.

R.L.V.H.
R.L.V.H.

PRINT KEY OUTPUT CUSTER 06/19/97 PAGE 1
10:27:54

5115551 V33640 950029

DISPLAY DEVICE : T2
USER : VERLA

TAX MASTER INQUIRY

PROPERTY: RP 06V14E150004 A YEAR 1995 BILL# 4790
TXPKY: RP08V14E150004A
NAME HUMPHREYS FAMILY TRUST CODE AREA 4700 ACCOUNT TYPE PUP
BANK FLB OWNER
HUMPHREYS, MICHAEL
HUMPHREYS, C-PETRE TRUSTEES MARKET VALUE 194,098

ADDRESS 10495 STONE QUARRY ROAD HARDSHIP
PAYETTE ID 83651 HOMEOWNER 194,098
NET MARKET 1,165,40

LEGAL TRACT 75-12, 1375, 87-13 TAX AMOUNT 175.00
NE4NE4, S2NE4 LESS: CIRCUIT
N2SW4, N2SE4 PLUS: SPECIALS 1,340.40
SEC 15 T3N 914E NET TAX BILLED 1,340.40
TAX PAYMENTS 1,340.40
TAX CANCELLED
SPEC CANCELLED
REMAINING TAX DUE

NEXT PARCEL# RP A JR NEXT BILL# RP 1995
F3=PAYMNT ACTIVITY F5=TRANS ACTIVITY F2+=MORE
F3=EXIT F1=OTHER TAXES

Post-It® Fax Note	7671	Date	6-19-97	# of pages	2
To	CRUStal	From	COLLEEN		
Co./Dept.		Co.	Tax Dept		
Phone #		Phone #			
Fax #	736-0041	Fax #	879-5246		

T-75-12

~~North of July Ranch~~
~~M. V. ELIZABETH KEMMERER~~
 Humphreys Family Trust
 Fr. NW 1/4

Sec 15 T8

287
 201192
 R14
 211385-86

All of the NW 1/4 Sec 15 T8 R14 except T-75-11 containing
 26.49 Acres deeded to John L. Kemmerer Jr. deed # 137287

133.51 Acres

- 21.91 ac Part of T-75-12

111.60 Ac

T-87-13
 parcel#
 08N14E150002

~~North of July Ranch~~
~~HAROLD & FLORA JENSEN~~
~~VIN HAGEN Trust~~
 Humphreys Family Trust

193378
 176957
 201192
 211385-86

~~Section 15, Township 8 North, Range 14 East, BLM, Custer County, Idaho~~

A parcel of land in Section 15 T8N14E, BM, Custer County
 Idaho described as:

The remainder of the NW 1/4 South of the Forest Road
 containing 31 acres M/L.

~~North of July Ranch~~
 T - 1375

~~Harold & Flora Jensen~~
 Dale S. Reynolds

118.80 ac.

211385-86

Fr. S 1/2 S 1/2, Sec. 15, T8

~~Harold & Flora Jensen~~
~~Vin Hagen Trust~~
 Humphreys Family Trust

136814
 176957
 176957
 193378
 201192

Beginning at a point which is N 0° 2' W. 391 ft. from the SW corner of Sec. 15; thence S. 75° 41' E. 349 ft.; thence S. 79° 30' E. 658 ft.; thence N 0° 02' W. 728 ft.; thence S 77° 59' E. 367 ft.; thence S. 68° 31' E. 556 ft.; thence S 53° 02' E. 213 ft.; thence S. 60° 06' E. 713 ft.; thence S 89° 59' E. to a point 150 ft. N. of the S'y boundary line of Sec. 15, for a distance of 1315 ft.; thence N. 232 ft. thence S 58° 36' E. 272 ft.; thence S 72° 04' E. 270 ft.; thence S. 88° 36' E. 343 ft.; thence N. 80° 22' E. 122 ft.; thence N. 43° 59' E. 532.92 ft. to the E'y boundary of Sec. 15; thence N 0° 06' W. 767 ft. to the NE corner of S 1/2 S 1/2; thence S. 929 ft. to a point which is N 0° 02' W. 391 ft. from the SW corner of Sec. 15.

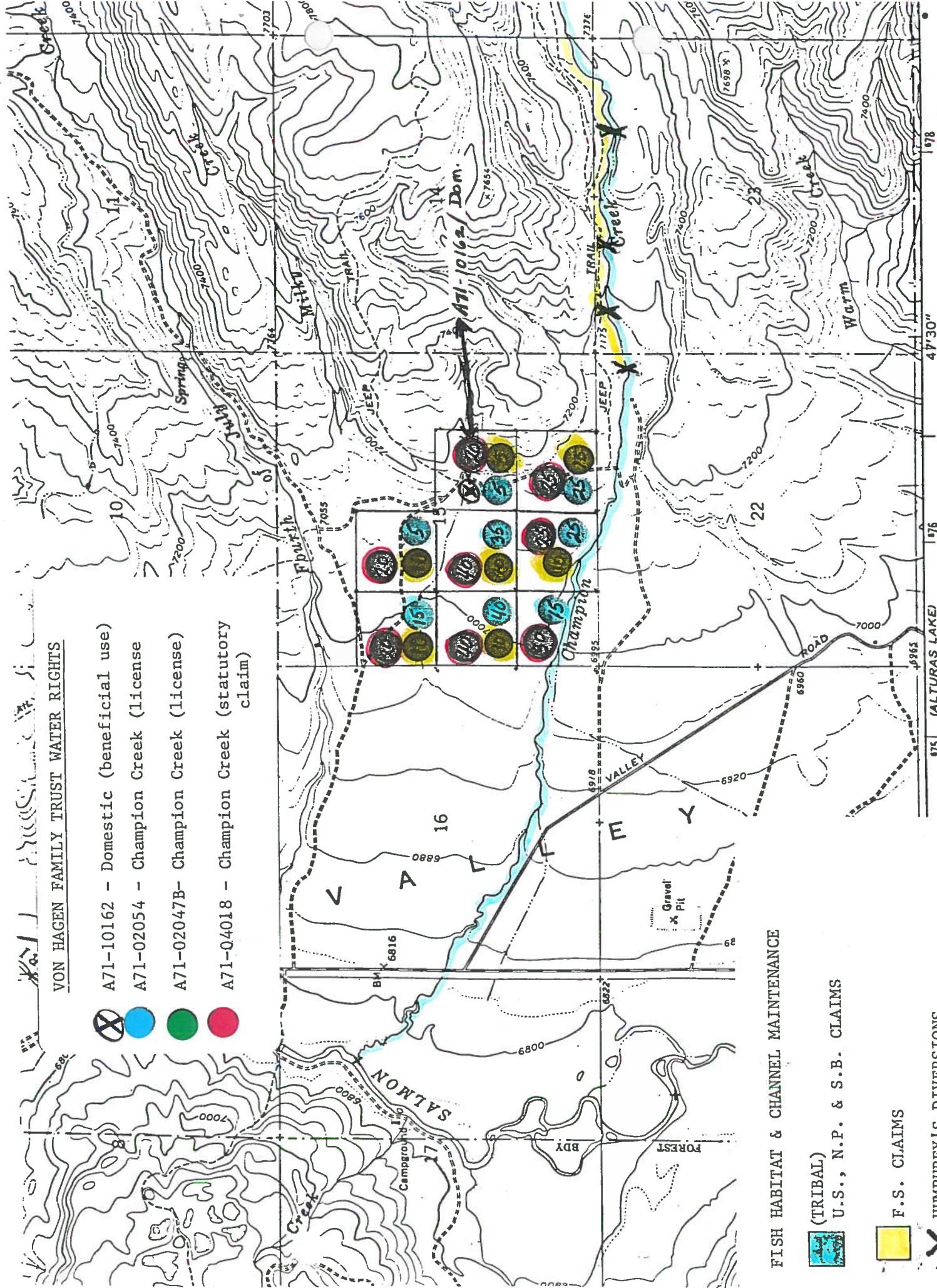
A71-10162 - Domestic (beneficial use)
A71-02054 - Champion Creek (license)
A71-02047B- Champion Creek (license)
A71-04018 - Champion Creek (statutory claim)



F.S. CLAIMS

HUMPHREY'S DIVERSIONS

FISH HABITAT & CHANNEL MAINTENANCE



075 | (ALTURAS LAKE)
2021 IV NE

SCALE 1:24 000

C-92

STANLEY BASIN CORP.
32C

C-77

(STATE)
77C

337
- von Higon Family Trust

1716
2021

C-79
C. FOLEY
79C

U.S.

C-133
L. NELSON - F. JONES
133C

C-77
(STATE)
77C

C-92
STANLEY BASIN CORP.
92C

C-92
STANLEY BASIN CORP.
32C

C-77
(STATE)
77C

910
1615
FSU-337
Von Hygen Family Trust
T-503

C-79
C. FOLEY
79C

U.S.

C-133
L. NELSON - F. JONES INC.
133C

C-132
L. NELSON

1716
2021

1615
2122

SD-33	Last Name: 4TH				STATE	
S	O					
E	W	Water	Priority		Total	Use
L	N	Right No.	Date	Source	Diversion	Code Desc

4TH OF JULY CREEK RANCH INC.						
C	A71-04018	06/01/1925	CHAMPION CR	2.400	01	IRR
C	A71-10162	06/01/1925	SPRING	0.040	43	DOMEST
C	A71-02047B	03/25/1925	CHAMPION CR	2.800	01	IRR
C	A71-02054	07/28/1930	CHAMPION CR	3.300	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
MAR 17 1993

SD-0604-2 Township: 08N		Range: 14E		Section: 15		Tract:		Lot:	
S	L	Water	Name	W	S	Max # Records	32		
E	O				T	Priority	Use		
L	Tract	Right No.	Last, First	N	AC	G	Date	Code	Desc
-	-	-	-	-	-	-	-	-	-
-	SWSW	A71-04018	ROSHOLT, JOHN	A	30	S	06/01/1925		
-	SESW	A71-02047B	4TH OF JULY CREEK RANC	C	10	L	03/25/1925	01	IRR
-	SESW	A71-02054	ROSHOLT, JOHN	A					
-			MC VEY, ORA	O	25	L	07/28/1930	01	IRR
-			MC VEY, GEYER	O					
-			MC VEY, GEYER	O					
-			MC VEY, MERTON O.	O					
-			ROSHOLT, JOHN	A					
-	SESW	A71-02047	4TH OF JULY CREEK RANC	C					
-			REDMOND, II, JACK W.	O	10		03/25/1925	01	IRR
-			HAYS, RANDALL	O					
-	SESW	A71-02047A	SPLIT RIGHT	C					
-			REDMOND, II, JACK W.	C	10	L	03/25/1925	01	IRR
-			HAYS, RANDALL	C					
-	SESW	A71-04018	KEMMERER, MARY ELIZABE	O	25	S	06/01/1925	01	IRR
-			4TH OF JULY CREEK RANC	C					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
MAR 17 1993

SD-0604-2 Township: 08N		Range: 14E		Section: 15		Tract:		Lot:	
S	L	Water	Name	W	S	Max # Records	32		
E	O				T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code Desc
—	SENW		A71-02054	MC VEY, ORA	O	5	L	07/28/1930	01 IRR
—				MC VEY, GEYER	O				
—				MC VEY, GEYER	O				
—				MC VEY, MERTON O.	O				
—				ROSHOLT, JOHN	A				
—				4TH OF JULY CREEK RANC	C				
—	SENW		A71-02047	REDMOND, II, JACK W.	O	10		03/25/1925	01 IRR
—				HAYS, RANDALL	O				
—				SPLIT RIGHT	C				
—	SENW		A71-04018	KEMMERER, MARY ELIZABE	O	20	S	06/01/1925	01 IRR
—				4TH OF JULY CREEK RANC	C				
—				ROSHOLT, JOHN	A				
—	NESW		A71-02047B	4TH OF JULY CREEK RANC	C	20	L	03/25/1925	01 IRR
—				ROSHOLT, JOHN	A				
—	NESW		A71-02054	MC VEY, ORA	O	35	L	07/28/1930	01 IRR
—				MC VEY, GEYER	O				

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 17 1993

SD-0604-2 Township: 08N		Range: 14E		Section: 15		Tract:		Lot:	
S	L	Water	Name	W	S	Max # Records	32		
E	O				T	Priority	Use		
L	Tract	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	-----	---	---	---	-----	---	-----
---	SWNW	A71-02054	MC VEY, ORA	O	15	L	07/28/1930	01	IRR
---			MC VEY, GEYER	O					
---			MC VEY, GEYER	O					
---			MC VEY, MERTON O.	O					
---			ROSHOLT, JOHN	A					
---			4TH OF JULY CREEK RANC	C					
---	SWNW	A71-02047	REDMOND, II, JACK W.	O	10		03/25/1925	01	IRR
---			HAYS, RANDALL	O					
---			SPLIT RIGHT	C					
---	SWNW	A71-04018	KEMMERER, MARY ELIZABE	O	20	S	06/01/1925	01	IRR
---			4TH OF JULY CREEK RANC	C					
---			ROSHOLT, JOHN	A					
---	SWNW	A71-02047B	4TH OF JULY CREEK RANC	C	10	L	03/25/1925	01	IRR
---			ROSHOLT, JOHN	A					
---	SENW	A71-02047B	4TH OF JULY CREEK RANC	C	10	L	03/25/1925	01	IRR
---			ROSHOLT, JOHN	A					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 17 1993

SD-0604-2 Township: 08N			Range: 14E		Section: 15		Tract:		Lot:	
S	L		STATE		O		S	Max # Records		32
E	O	Water	Name		W		T	Priority	Use	
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
-	SWSE	-	A71-02047B	4TH OF JULY CREEK RANC	C	15	L	03/25/1925	01	IRR
-	SWSE	-	A71-02054	ROSHOLT, JOHN	A					
-		-		MC VEY, ORA	O	25	L	07/28/1930	01	IRR
-		-		MC VEY, GEYER	O					
-		-		MC VEY, GEYER	O					
-		-		MC VEY, MERTON O.	O					
-		-		ROSHOLT, JOHN	A					
-	SWSE	-	A71-02047	4TH OF JULY CREEK RANC	C					
-		-		REDMOND, II, JACK W.	O	15		03/25/1925	01	IRR
-		-		HAYS, RANDALL	O					
-	SWSE	-	A71-04018	SPLIT RIGHT	C					
-		-		KEMMERER, MARY ELIZABE	O	25	S	06/01/1925	01	IRR
-		-		4TH OF JULY CREEK RANC	C					
-		-		ROSHOLT, JOHN	A					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
MAR 17 1993

SD-0604-2 Township: 08N		Range: 14E		Section: 15		Tract:		Lot:	
S	L	Water	Name	W	S	Max # Records	32		
E	O				T	Priority	Use		
L Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
SWSE		A71-02047B	4TH OF JULY CREEK RANC	C	15	L	03/25/1925	01	IRR
SWSE		A71-02054	ROSHOLT, JOHN	A					
			MC VEY, ORA	O	25	L	07/28/1930	01	IRR
			MC VEY, GEYER	O					
			MC VEY, GEYER	O					
			MC VEY, MERTON O.	O					
			ROSHOLT, JOHN	A					
SWSE		A71-02047	4TH OF JULY CREEK RANC	C					
			REDMOND, II, JACK W.	O	15		03/25/1925	01	IRR
			HAYS, RANDALL	O					
			SPLIT RIGHT	C					
SWSE		A71-04018	KEMMERER, MARY ELIZABE	O	25	S	06/01/1925	01	IRR
			4TH OF JULY CREEK RANC	C					
			ROSHOLT, JOHN	A					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 17 1993

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: **A71-02047B**
Date Received: 2/ 6/1990
Receipt No: S011132
Received By: _____

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

1. Name: VON HAGEN FAMILY TRUST
Address: C/O LOYD CORPORATION
12400 WILSHIRE BLVD. #1180
LOS ANGELES CA 90025
2. Date of Priority: MAR 25, 1925
3. Source: CHAMPION CREEK Trib. to: SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	23		NE	NE		CUSTER

5. Description of diverting works:
DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.800		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	15	SW	NW		IRR	10.0
			SE	NW		IRR	10.0
			NE	SW		IRR	20.0
			NW	SW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	15	SE	SW		IRR	10.0
			NW	SE		IRR	5.0
			SW	SE		IRR	15.0
						Section Acres	80.0
						Total Acres	80.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A71-02054, 04018

14. Remarks:

DWR NOTE

ITEM #12 P/U OWNERSHIP MARKED YES & NO BOTH. NO EXPLANATION GIVEN.

MICROFILM OF LICENSE SHOWS: "ALSO, NATURAL MEADOW 60."

DATABASE SHOWS: "P/U INCOMPLETE. AC. IRR.=140."

CLAIM REPRESENTS ENTIRE RIGHT AS ORIGINALLY LICENSED.

OWNERSHIP CHANGE 3/19/92 BY JG.

15. Basis of Claim: LICENSE

Water Right Number: 16201

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

19-Mar-1992 13:50

ROSHOLT ROBERTSON & TUCKER
142 THIRD AVE. N.
P.O. BOX 1906
TWIN FALLS ID 83303

ATTN: Crystal Vincent

Re: Change of Ownership - Adjudication Claim(s): A71-02047B-
A71-02054 - A71-04018- A71-10162 - 4TH OF JULY CREEK RANCH,
INC.

Dear Crystal:

Pursuant to the notification that your firm is representing the Von Hagen Family Trust claimants, on the above-referenced Adjudicated Claims Right(s), we have changed our records to reflect the Change of Ownership by the form you submitted to this office.

Please review the record(s) and if you have any corrections or any questions, please feel free to contact this office.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED

MAR 17 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

MAR 18 1992

Department of Water Resources
Southern Region Office

DATE OF CLOSING: 2-27-92

PLEASE SEE ATTACHED WARRANTY DEED WITH PROPERTY DESCRIPTION

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, 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: A71-02047B; A71-02054; A71-04018; A71-10162

☐ Name and Address of Former Owner/Claimant(s)(Seller): Fourth of July Creek Ranch, Inc.
24701 Dana Drive
Dana Point, CA 92629

☐ New Owner/Claimant (Purchaser): Von Hagen Family Trust

☐ New Mailing Address: c/o Loyd Corporation
12400 Wilshire Blvd., Suite 1180
Los Angeles, CA 90025

☐ New Telephone Number: () _____ - _____

☐ 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: Warranty Deed with Property Descriptions

(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) Ronald Von Hagen, Trustee Date March 16, 1992
RONALD VON HAGEN, Co-Trustee of the Date _____
Von Hagen Family Trust

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3/19/92 By: LS

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 3/19/92 By: LS

Claim Numbers of Split, if any:

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

MICROFILMED

MAR 17 1993

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

RONALD VON HAGEN, Co-Trustee of the Von Hagen Family Trust, whose address is c/o Loyd Corporation, 12400 Wilshire Blvd., Suite 1180, Los Angeles, CA 90025, hereby nominates and appoints JOHN A. ROSHOLT of the firm Rosholt, Robertson & Tucker, 142 Third Avenue North, P.O. Box 1906, Twin Falls, Idaho, 83303, as attorney-in-fact with full authority to act for and on behalf of him to execute any and all documents required or necessary to facilitate the filing of a water rights claim in the Snake River Basin Adjudication.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those instruments of writing that may be necessary or proper to carry into execution and effect the aforementioned. Further, I hereby declare that each and every application, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 16th day of March, 1992.

Ronald Von Hagen
RONALD VON HAGEN
Co-Trustee of the Von Hagen
Family Trust

STATE OF IDAHO)
)ss.
County of Blaine)

On the 16 day of MARCH, 1992, before me, a Notary Public, in and for said County and State, personally appeared RONALD VON HAGEN, known or identified to me to be Co-Trustee of the Von Hagen Family Trust, the trust that executed the foregoing instrument, and acknowledged to me that such trust executed the same.

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

[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, ID.
My commission expires: 2-15-93

03119213.JAR

MICROFILMED

MAR 17 1993

SCHEDULE C

File Number: 7-519-CG

Commitment Number:

ANGLE OF 9 DEGREES 05' 00", A RADIUS OF 2,831.79 FEET, AND A LONG CHORD OF 448.47 FEET THAT BEARS SOUTH 60 DEGREES 56' 30" WEST, ALONG THE NORTHWESTERLY BOUNDARY OF SAID FOREST ROAD;

THENCE SOUTH 65 DEGREES 29' 00" WEST, 1,576.60 FEET ALONG THE NORTHWESTERLY BOUNDARY OF SAID FOREST ROAD;

THENCE 557.11 FEET ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 19 DEGREES 54', A RADIUS OF 1,604.02 FEET, AND A LONG CHORD OF 554.31 FEET THAT BEARS SOUTH 75 DEGREES 26' 00" WEST, ALONG THE NORTHERLY BOUNDARY OF SAID FOREST ROAD;

THENCE SOUTH 05 DEGREES 23' 00" WEST, 354.80 FEET ALONG THE NORTHERLY BOUNDARY OF SAID FOREST ROAD;

THENCE 302.73 FEET ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 9 DEGREES 14' 30", A RADIUS OF 1,076.86 FEET, AND A LONG CHORD OF 302.41 FEET THAT BEARS NORTH 09 DEGREES 59' 44" WEST ALONG THE NORTHERLY BOUNDARY OF SAID FOREST ROAD TO THE WESTERLY BOUNDARY OF SAID SECTION 15;

THENCE NORTH 0 DEGREES 01' 29" EAST, 1,301.04 FEET ALONG THE WESTERLY BOUNDARY OF SAID SECTION 15 TO THE TRUE POINT OF BEGINNING.

Page 3

CONTINUATION
Commitment
Reorder Form No. 11119

MAR 5 '92 12:14

MICROFILMED EXTRA COPY

MAR 17 1993

PAGE.005

COMMITMENT FOR TITLE INSURANCE
CONTINUATION

SCHEDULE C

File Number: 7-519-CG

Commitment Number:

PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SW1/4NW1/4 OF SECTION 15, SAID POINT LYING SOUTH 0 DEGREES 02' WEST, 1,335.0 FEET FROM THE CORNER COMMON TO SECTIONS 9, 10, 15 AND 16, WHICH POINT IS KNOWN AS ENGINEER'S STATION P.O.C. 52+74.0; SAID POINT BEING A POINT ON A CURVE, THE BACK TANGENT OF WHICH BEARS SOUTH 75 DEGREES 41' EAST; THENCE ALONG THE FOLLOWING COURSES AND DISTANCES.

BEARING	TANGENT DISTANCE IN FEET	CURVE L-R	CENTRAL ANGLE	RADIUS IN FEET	ARC DISTANCE IN FEET
N. 85 DEGREES 23' E.	354.8	L	9 DEGREES 10.3'	1,909.86	305.7
N. 65 DEGREES 29' E.	1,576.6	L	19 DEGREES 54'	1,637.02	568.6
N. 56 DEGREES 24' E.	520.2	L	9 DEGREES 05'	2,864.79	454.2

ENDING AT A POINT WHICH IS 822.7 FEET, N. 89 DEGREES 57' EAST, FROM THE NORTH QUARTER CORNER OF SAID SECTION 15, WHICH POINT IS KNOWN AS ENGINEER'S STATION P.O.T. 9054+1.

THE BOUNDARY LINES OF SAID RIGHT-OF-WAY AND EASEMENT SHALL BE PROLONGED OR SHORTENED TO BEGIN AND END ON, AND CONFORM TO, THE PROPERTY LINES.

ALSO EXCEPTING THEREFROM:

A PARCEL OF LAND IN SECTION 15, TOWNSHIP 8 NORTH, RANGE 14 EAST, HOUSE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, LYING NORTH OF FOREST SERVICE ROAD:

COMMENCING AT A STONE MARKING THE NW CORNER OF SAID SECTION 15, AND SAID CORNER BEING THE TRUE POINT OF BEGINNING.

THENCE SOUTH 89 DEGREES 58' 21" EAST, 2,6747.31 FEET TO A STONE MARKING THE N1/4 CORNER OF SAID SECTION 15;

THENCE NORTH 89 DEGREES 57' 26" EAST, 763.00 FEET ALONG THE NORTHERN BOUNDARY OF SAID SECTION 15 TO THE NORTHWESTERLY BOUNDARY OF U.S. FOREST ROAD NO. 70209;

THENCE SOUTH 56 DEGREES 24' 00" WEST, 470.45 FEET ALONG THE NORTHWESTERLY BOUNDARY OF SAID FOREST ROAD;

THENCE 440.94 FEET ALONG A CURVE TO THE RIGHT WITH A CENTRAL

Page 2

CONTINUATION
Commitment
Reorder Form No. 11119

MAR 5 '92 12:13

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PAGE 004

MAR 17 1993

COMMITMENT FOR TITLE RANGE

SCHEDULE C

File Number: 7-519-CG

The land referred to in this Commitment is described as follows:

ALL OF SECTION 15, TOWNSHIP 8 NORTH, RANGE 14 EAST OF THE BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

EXCEPTING THEREFROM A TRACT OF LAND IN THE $61/281/2$ OF SAID SECTION 15 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE MARKING THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE RUNNING N. 0 DEGREES 02' W., ALONG THE WESTERLY BOUNDARY OF SAID SECTION 15 FOR 391 FEET; THENCE S. 75 DEGREES 41' E. FOR 349.0 FEET; THENCE S. 79 DEGREES 30' E. FOR 650.0 FEET; THENCE N. 0 DEGREES 02' W. FOR 720.0 FEET; THENCE S. 77 DEGREES 59' E. FOR 367.0 FEET; THENCE N. 60 DEGREES 31' E. FOR 556.0 FEET; THENCE S. 53 DEGREES 02' E. FOR 213.0 FEET; THENCE S. 60 DEGREES 06' E. FOR 713.0 FEET; THENCE S. 09 DEGREES 59' E., ALONG A LINE WHICH IS PARALLEL TO AND 150.0 FEET NORTH OF THE SOUTHERLY BOUNDARY OF SAID SECTION 15 FOR 1,315 FEET, MORE OR LESS, TO A POINT WHICH IS N. 150.0 FEET FROM A POINT ON THE SOUTHERLY BOUNDARY OF SAID SECTION, WHICH IS 1,321.32 FEET WESTERLY FROM THE SOUTHEAST CORNER OF SAID SECTION; THENCE NORTH 232.0 FEET; THENCE S. 50 DEGREES 36' E. FOR 272.0 FEET; THENCE S. 72 DEGREES 04' E. FOR 270.0 FEET; THENCE S. 00 DEGREES 36' E. FOR 343.0 FEET; THENCE N. 80 DEGREES 22' E. FOR 123.0 FEET; THENCE N. 43 DEGREES 59' E. FOR 532.92 FEET TO THE EASTERLY BOUNDARY OF SAID SECTION; THENCE S. 0 DEGREES 06' W. ALONG SAID BOUNDARY FOR 553.0 FEET, TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE N. 09 DEGREES 59' W., ALONG THE SOUTHERLY BOUNDARY OF SAID SECTION, FOR 5,205.20 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL PROPERTY: A STRIP OF LAND 66 FEET IN WIDTH TRAVERSING THE FOLLOWING DESCRIBED REAL PROPERTY:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) AND THE NORTH HALF OF THE NORTHWEST QUARTER (N1/2NW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 15, TOWNSHIP 8 NORTH, RANGE 14 E., B.M.

THE SAID STRIP BEING 33 FEET IN WIDTH ON EACH SIDE OF THE FOLLOWING CENTERLINE, THE SAID CENTERLINE BEING MORE

SCHEDULE C
Commitment
Reorder Form No. 11124

MAR 5 '92 12:12

MICROFILMED

MAR 17 1993 EXTRA COPY
PAGE 003

Order No. 17953

WARRANTY DEED

FOR VALUE RECEIVED

The Fourth of July Creek Ranch Inc., an Idaho Corporation

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

Theresa V. H. Bucher and Ronald L. Von Hagen, Co-Trustees of the Von Hagen Family Trust

GRANTEE(s) whose address is: c/o Loyd Corporation, 12400 Wilshire Blvd., Suite 1800, Los Angeles, CA 90025

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

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Together with all water rights appurtenant to the real property described in Exhibit 'A' attached hereto, specifically including, but not limited to, the following itemized rights:

Source	Priority	CFS	Old Number	SRBA Claim Number
Champion Creek	3/25/1925	2.3	License 18201	71-02047
Champion Creek	7/28/1930	2.8	License 17343	71-02054
Champion Creek	1925	2.4	Statutory Claim 71-4018	

AND together with all the undersigned's right, title and interest, if any, in and to the following itemized water rights which have lapsed:

Source	Priority	CFS	Old Number	SRBA Claim Number
Fourth of July Creek	9/23/81	2.0	Permit 71-7059	
Groundwater	1/27/82	.875	Permit 71-7074	

Subject To: Taxes, easements, restrictions and encumbrances 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: February 25, 1992

The Fourth of July Creek Ranch

By: Ranney E. Draper, President

State of California

County of

On this February 27, 1992, before me, a notary public in and for said State, personally appeared Ranney E. Draper and Vaughn Mahnke personally known or identified to me to be the person(s) who executed the within instrument as President and Secretary, on behalf of The Fourth of July Creek Ranch, Inc. the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Susan J. Pies
 Notary Public
 Residing at
 Commission Expires:

Notarized/Notarized



MICROFILMED
 MAR 17 1993
 PAGE 002

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: A71-02047B
Date Received: 1/12/1990
Receipt No: S011132
Received By: lm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: 4TH OF JULY CREEK RANCH INC. 714-240-3871
Address: 24701 DANA DRIVE
DANA POINT, CA 92629

2. Date of Priority: MAR 25, 1925

3. Source: CHAMPION CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	23		NE	NE		CUSTER

5. Description of diverting works:
DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.800		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	15	SW	NW		IRR	10.0
			SE	NW		IRR	10.0
			NE	SW		IRR	20.0
			NW	SW		IRR	10.0

A71-02047B

Page 1

Date: 02/13/90

MICROFILMED
MAR 17 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	15	SE	SW		IRR	10.0
			NW	SE		IRR	5.0
			SW	SE		IRR	15.0
						Section Acres	80.0
						Total Acres	80.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A71-02054, 04018

14. Remarks:
DWR NOTE
ITEM #12 P/U OWNERSHIP MARKED YES & NO BOTH. NO EXPLANATION
GIVEN.
MICROFILM OF LICENSE SHOWS: "ALSO, NATURAL MEADOW 60."
DATABASE SHOWS: "P/U INCOMPLETE. AC. IRR.=140."
CLAIM REPRESENTS ENTIRE RIGHT AS ORIGINALLY LICENSED.

15. Basis of Claim: LICENSE
Water Right Number: 16201

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

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 A71-02047

Date Received

Receipt Number

5011132Adm

RECEIVED

JAN 12 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

FEB 6 - 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) 4th of July Creek Ranch, Inc. Phone (714) 240-3871Mailing Address 24701 Dana Drive, Dana Point, CA Zip 926292. Date of Priority (Only one (1) per claim) 03-25-19253. Source of water supply (a) Champion Creekwhich is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 8N Range 14E Section 23,
1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of Custer

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.dam and ditch

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6. Water is claimed for the following purposes: (both dates are inclusive) (acre feet)

For Irrigation purposes from 04-15 to 10-15 amount 2.8 or

For Domestic purposes from 01-01 to 12-31 amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 2.8 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is 280 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 household shown on original license

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
8N	14	15							10	10	20	10		10		5	15		80

Total number of acres irrigated 140 (see #14)

11. In which county (ies) are lands listed above as place of use located? Custer

12. Do you own the property listed above as place of use? Yes XXX No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
71-02054 and 71-04018 or None ()

14. Remarks:
microfilm of license shows: "Also, natural meadow 60." Database review shows: "P/U incomplete. AC. Irr.=140."

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Last Name 4th of July Creek Ident No.

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Bei Use Posted Notice L XXX Permit
Decree
If applicable provide IDWR Water Right Number 71-02047
Court Case Number Decree Date
Plaintiff vs Defendant

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not XX
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 3

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Date
 Date

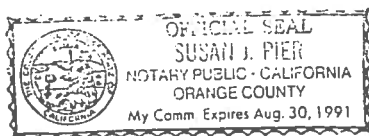
For Organizations: I do solemnly swear or affirm that I am President Title
of 4th of July Creek Ranch, Inc. Organization, that I have signed the foregoing
document in the space below as President Title of 4th of July Creek Ranch, Inc Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization President, 4th of July Creek Ranch, Inc. Date 1/8/90

State of Idaho/or)
County of) SS.

Subscribed and sworn (or affirmed) before me this 8th day of January 19 90

SEAL



Notary Public [Signature]
Residing at California
My Commission Expires 8/30/91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature
Address
Date

Last Name 4th of July Creek Ident. Number

Copies White-State, Yellow-Claimant

State of Idaho

License and Certificate of Water Right

Water License No. 16201
Water District No.

Amount 2.8 sec. ft.
Priority 3-25-1925

THIS IS TO CERTIFY that George L. Young, of Challis, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 15, 1925; that Permit No. 16201 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.4 second feet, was issued thereunder on February 20, 1925, showing that said works were completed on the 19th day of February, 1925; and that on the 29th day of September, 1927,

George L. Young, of Challis, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Champion Creek, a tributary of Salmon River, for the purpose of irrigation and domestic use, under Use Permit No. 16201 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 2621, on the 3rd day of July, 1930;

The right hereby confirmed dates from March 25, 1925;

The Point of Diversion is located in the NE 1/4 NE 1/4, Sec. 25, Twp. 8 N., R. 14 E., B.M. Custer County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 N.	14 E.	15	SE 1/4 NW 1/4	40	10
			SW 1/4 NW 1/4	40	10
			NE 1/4 SW 1/4	40	20
			NW 1/4 SW 1/4	40	10
			SE 1/4 SW 1/4	40	10
			NW 1/4 SE 1/4	40	5
			SW 1/4 SE 1/4	40	15
			Also, natural meadow		60
					Total 140

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 3rd day of July, 1930.

GEO. N. CARTER
Commissioner of Reclamation

(SEAL)

(Quit-claim Deed transferring from George L. Young and Pearl Young to Ora McVey and Ceyer McVey, August 1, 1930, recorded under Permit No. 16201.)

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MAR 17 1993

71 2014

4th of JULY CRATER, INC.

many was sub-

A. D. 1927.

J. Drake
Living at Challis,

Deposition of Witness

ques. 1. State your name, age, residence, occupation, and place of birth. **Clayton, Idaho. Rancher.**

Ans. Part. Young. 43 years.

Clayton, Idaho.

George L. Young

the

Ques. 2. Are you acquainted with _____
holder of Permit No. 16201 _____? How long have you known him and where does he reside?
_____ I have known him for 25 years and he resides _____

Ans. Yes.
 at Clayton, Idaho.
 and are you familiar with

Ques. 3. Have you read or heard of any provisions and conditions?

..... **yes**..... **no**.....

Quest. 4. State source of water supply, place of diversion to place of use.

Am. Champion Creek. About 200 yds. sec. 23,
of Sec., 23 T. 8 N., R. 14 E., B. M., and, is in the NE $\frac{1}{4}$.
T. 8 N., R. 14 E., B. M., Custer County, Idaho. A ditch about $\frac{3}{4}$ of
a mile long.

How many second feet of water do you estimate?

6.4 cubic feet

Ques. 6. State for what purpose water is used and number of acres irrigated in each subdivision in which water has been used and number of acres irrigated in each subdivision in which water has been used and number of acres irrigated in each subdivision in which water has been used and number of acres irrigated in each subdivision in which water has been used and whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

As a direct result of said use.

Ans. Irrigation and domestic purposes, SW¹/₄SW¹/₄, - 10 acres, SE¹/₄SW¹/₄, - 10 acres, NW¹/₄SW¹/₄, - 15 acres, NE¹/₄SW¹/₄, - 8 acres, all in Sec. 15 T. 8 N., R. 14 E., B. M. 75 acres of cultivated land and about 58 acres of improvements: house, barn, sheep shed, store room, natural meadow.

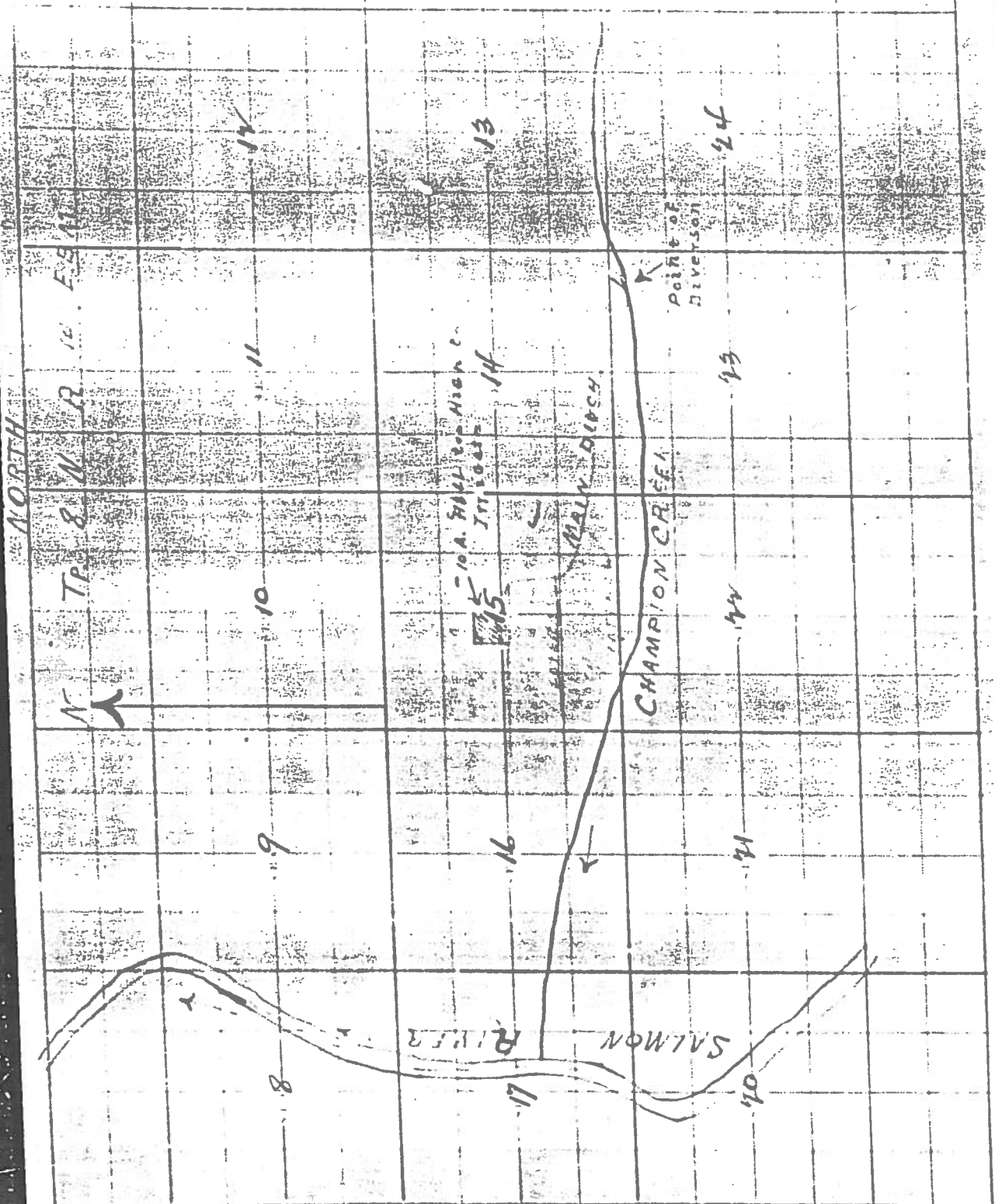
4th of JULY CRACK, INC.

MICROFILMED
MAR 17 1993

EXHIBIT 10-12

CC-1

Point



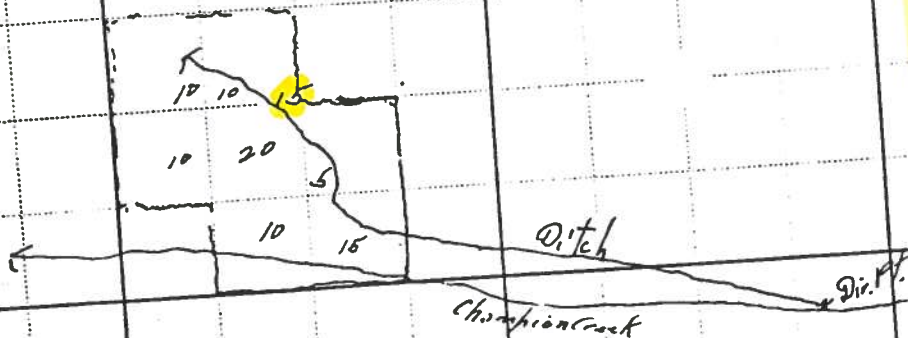
71-02047

now do all 3
claims relate as
far as overlapping
one another

SE 1/2 NW 1/4 - 20
N 1/2 SW 1/4 - 30
SE 1/4 SW 1/4 - 10
NN 1/4 SE 1/4 - 5
SW 1/4 SE 1/4 - 15

80

plus "natural meadow"



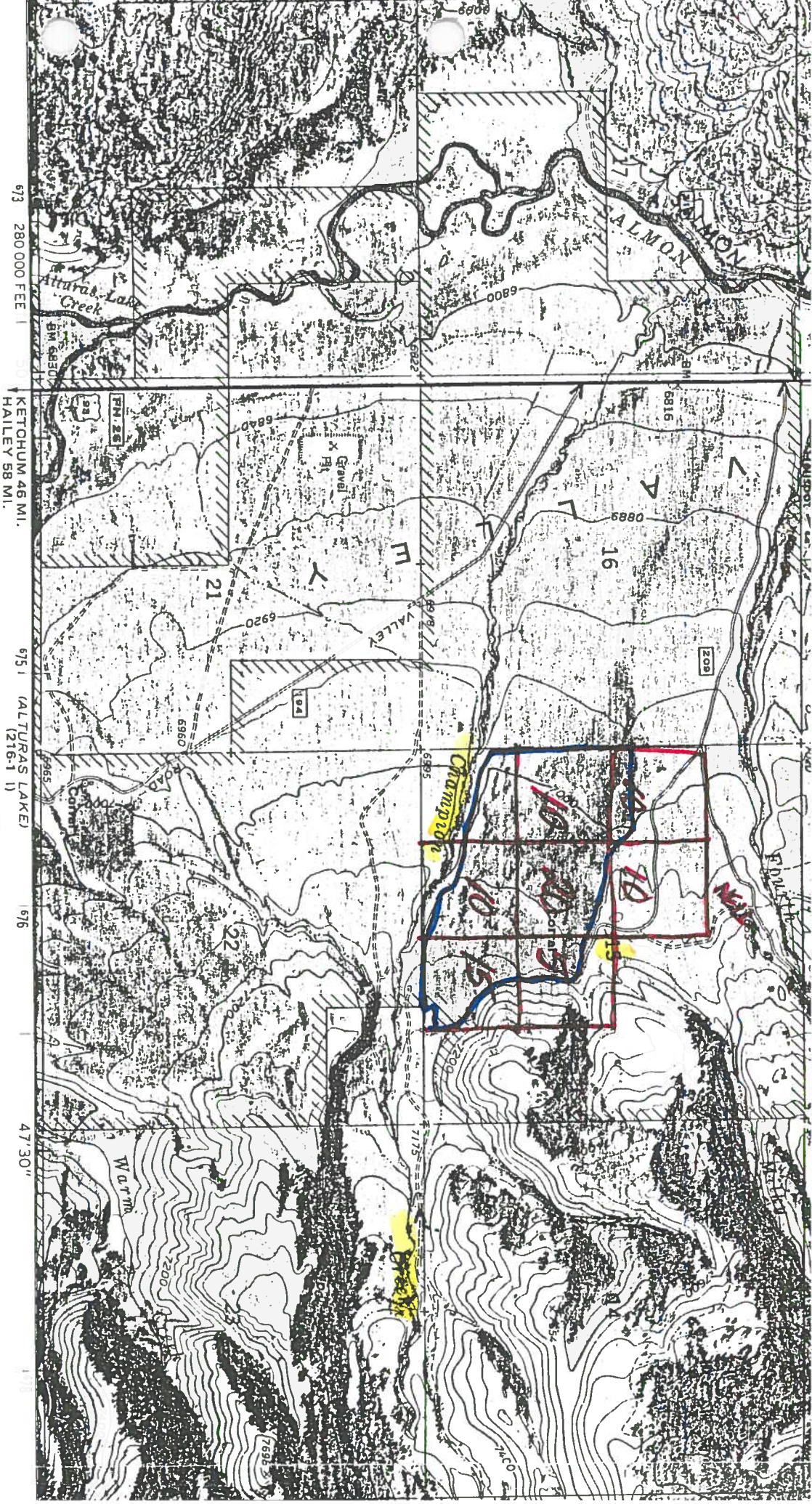
Engineer's Report:

"... 80 acres + possible
60 = 140 AC."

"possibly 60 acres has been
irrigated but still ...
grass + sage."

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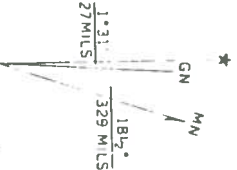
MAR 17 1993



Survey 1963

Central zone

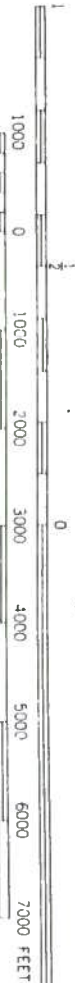
UTM GRID AND 1963 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



ROAD CLASSIFICATION

TOWNSHIP AND SECTION L

CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL



SCALE 1:24,000

1 MILE

Heavy Duty.....
Medium Duty.....
Light Duty.....
Unimproved Dirt.....
Surveyed, 10
Surveyed, 10

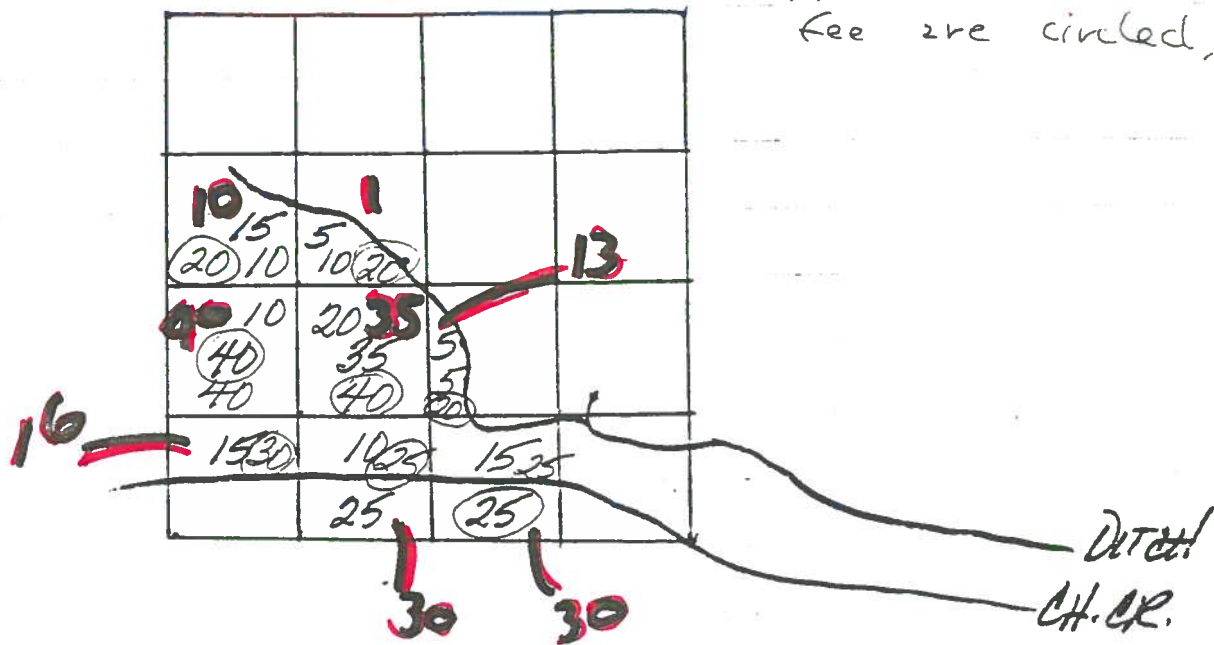
LOCATION

Fee assessed 4/6/20

↳ late fee side response within 30 days of letter

Acts counted for
fee are circled.

915



<u>27</u>	02047	80 Acres	—
	02054	165 "	—
	04018	220 "	—

Appears to be
invited.

220 Acres

175 Acky

3 cl/2 hrs @ $50 \text{ cmh} = 150$

Total Fee = \$370⁰⁰

Upon field review the zones should be adjusted.

4) - 2/6/90

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

15-Jan-1990 13:59

NELSON RSHOLT ROBERTSON TOLMAN & TUCKER
Attn: Frank Hitchcock
P.O. Box 1906
Twin Falls, ID 83303-1906

RE: Claims in the name of 4th of July Creek Ranch, Inc.

Dear Frank:

Please find enclosed the three claims referenced above and your check #11618 for \$ 455.00 which you recently hand delivered to our office. As we discussed in our phone conversation I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking the claims it appears that the following items need clarification:

Claim based on 71-02047

Item #6 Uses descriptions (Please identify Domestic Use CFS)
Item #10 Place of Use Legal Description (Specify tracts for entire 140 acres irrigated and identify Domestic P/U)

Claim based on 71-02054

Item #4 Point of Diversion Legal Description (Complete 1/41/4 description)
Item #6 Uses descriptions (Please identify Domestic Use CFS)
Item #10 Place of Use Legal Description (Identify Domestic P/U)

Claim based on 71-04018

Item #4 Point of Diversion Legal Description (Complete 1/41/4 description)

Regarding all three claims

Please clearly indicate how these three claims relate as far as overlapping one another and specifically indicate how many total acres are watered. This is necessary so that the proper filing fee can be assessed.

Additionally if the firm wishes to act as attorney for the claimant you may wish to complete the Notice of Appearance portion of the claims.

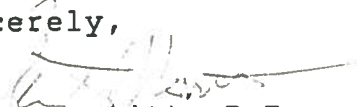
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MAR 17 1993

Page 2
15-Jan-1990

If you will make the necessary corrections and return these claims with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional \$50.00 per claim late fee.

Sincerely,



Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

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MAR 17 1993

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

Boise Office

1020 MAIN ST., SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

FAX (208) 344-6034

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY R. McDANIEL
GARY D. SLETTE
F. BRUCE COVINGTON
JERRY JENSEN
CAROLYN M. MINDER
BRUCE M. SMITH
G. RICHARD BEVAN
BRAD M. PURDY
GARY L. QUIGLEY
TIM J. WILLIAMS
SHARON F. DUNKIN

HAND DELIVERED

January 31, 1990

RECEIVED

JAN 31 1990

Mr. Alan Merritt, Water Rights Supervisor
Idaho Department of Water Resources
Twin Falls Office -- Southern Region
2148 Fourth Avenue E.
Twin Falls ID 83301

Department of Water Resources
Southern Region Office

Dear Alan:

I have completed what background research I can do regarding the claims filed timely for water uses of the 4th of July Creek Ranch, Inc. for the Custer County noticing period. As per your letter of January 15, 1990, I have attempted to specify the tracts for the entire 140 acres irrigated for Claim 71-02047 as well as attempting to document how the three claims relate in terms of overlapping in subsequent total acres watered. To date I have done the following:

1. Reviewed our firm's files for maps submitted by the original license holders that were not on the microfilm records at your office. I submit copies for your review and direction on how to best describe the actual irrigated acres per 40-acre tract.
2. Yesterday morning I had a telephone conference with Mr. Jed Gray of Ketchum, Idaho, who is familiar with the property and especially the water usages as described in the license applications. In addition, he was involved in on-site inspections relative to some difficulties with competing claims for water in the Champion Creek area and met with your Department's staff some years ago in an attempt to define water usage from Champion Creek.
3. Mr. Gray suggested that the Forest Service has a series of color fly-over photographs showing this area and while I haven't made contact with that

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MAR 17 1993

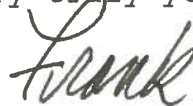
Mr. Alan Merritt, Water Rights Supervisor
Idaho Department of Water Resources
Twin Falls Office -- Southern Region
January 31, 1990
Page - 2

agency to review what they might have on file,
this would obviously be a last resort.

I will contact you shortly for further direction on what your opinion is of the enclosed maps which show somewhat more clearly than the microfilm record what the actual irrigated acreage was at least as of the period of time they were submitted for the record. Mr. Gray indicates that the historical irrigation of this ground has not changed much due to the limitations of volume and availability. Please let me know what you think.

Best wishes.

Very truly yours,



FRANCIS G. HITCHCOCK
LEGAL ASSISTANT

FGH/dcb
45181

Enclosures

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MAR 17 1993

how do all 3
claims relate to
far as overlapping
one another

80

plus "natural mentum"



Engineer's Report:

"... 80 acres + 60 = 140 AC."

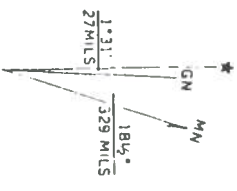
"possibly no nerve has been
irrigated but still...
glaze + stage.

8144

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Survey 1963

UTM Zone



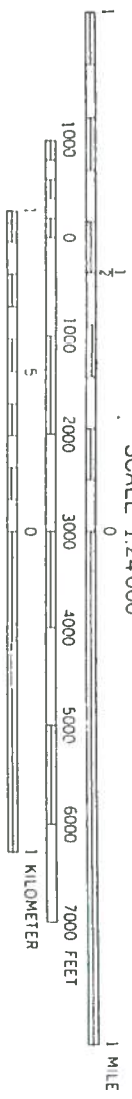
UTM GRID AND 1963 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

ROAD CLASSIFICATION

TOWNSHIP AND SECTION LINE CLASSIFICATION

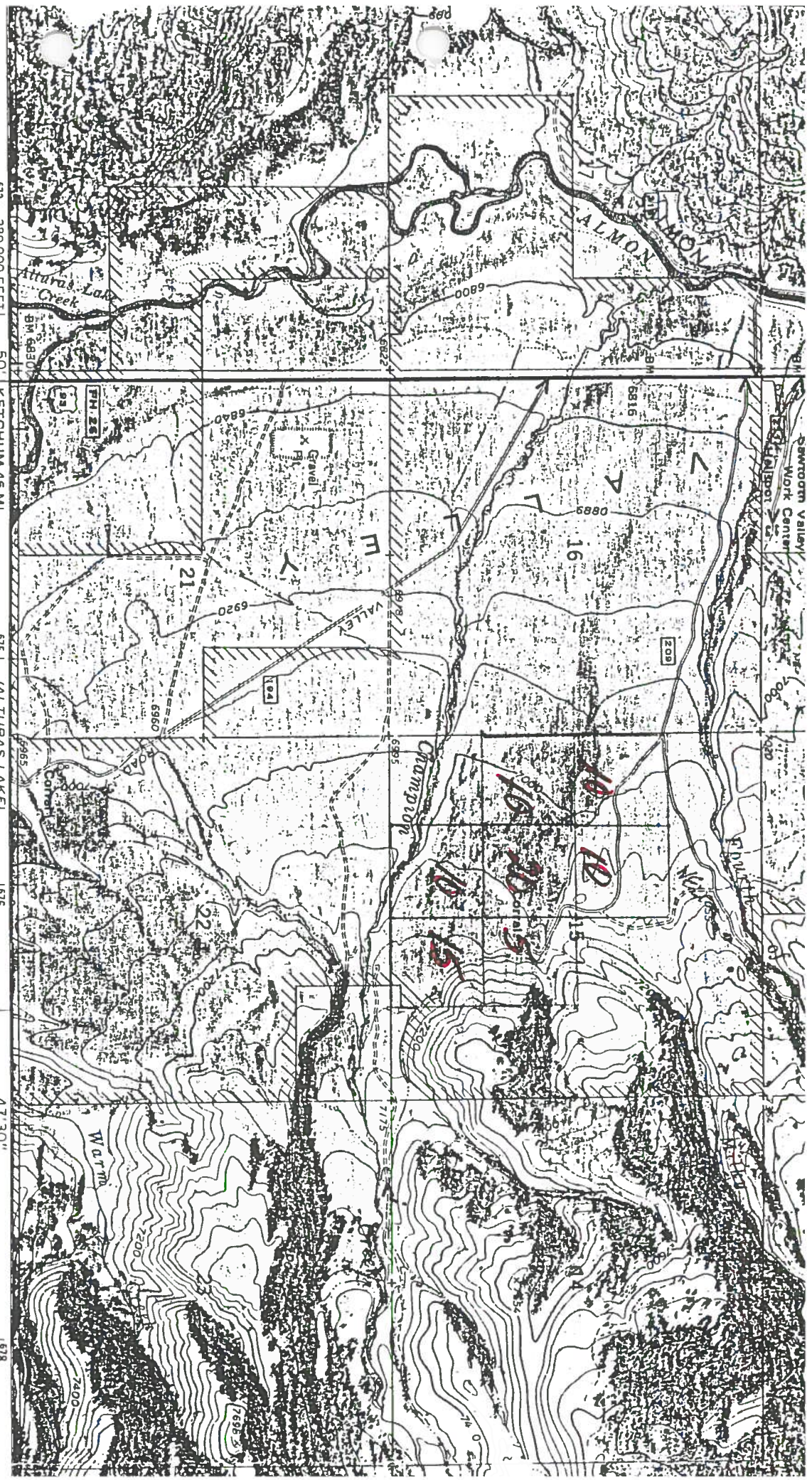
- Heavy Duty. _____
- Medium Duty..... _____
- Light Duty.. _____
- Unimproved Dirt-----
- _____
Surveyed, location reliable
- Surveyed, location approximate

CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL



SCALE 1:24,000

673 280 000 FEET 50 KETCHUM 46 MI. 673 1 ALTURAS LAKE (216-1 1) 1676 47' 30" 1678



S011132

02/06/90
15:31:33

NELSON ROSHOLT ROBERTSON

ADJUDICATION FEE

0410162 9337 6490

\$370.00

\$370.00

CHECK 12121

WR/NO: A71-04018 A71-02047^B A71-02054

Idaho Department of Water Resources

Region: SOUTHERN

Signature: _____

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MAR 17 1993

S011132

02/06/90
15:31:33

NELSON ROSHOLT ROBERTSON

ADJUDICATION FEE

0410162 9337 6490

\$370.00

\$370.00

CHECK 12121

WR/NO: A71-04018 A71-02047B A71-02054

Idaho Department of Water Resources

Region: SOUTHERN

Signature: _____

Number Charged

AD

MICROFILMED

MAR 17 1993

RECEIVED DEC 06 1991



DIVERSIFIED
MANAGEMENT
COMPANY

December 2, 1991

*Note for
file
Amend
claims
re
address?*

Mr. John Rosholt
P. O. Box 1906
Twin Falls, Idaho 83303-1906

RE: CLAIMS A71-02047, A71-02054,
AND A71-04018

Dear John:

Enclosed is the power of attorney for the above referenced claims.

Please address future correspondence to Ranney E. Draper, President, 4th of July Creek Ranch, Inc., with a copy to my attention. Mr. Draper is the sole shareholder of the 4th of July Creek Ranch, Inc.

If you ever have any questions or if I can assist you, please call.

Very truly yours,

Vaughn
Vaughn J. Mahnke

VJM:sp
Enclosure

cc: Ranney Draper

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN O. FITZGERALD
D. BERNARD ZALEHA

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1020 MAIN STREET, SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 334-6034

February 5, 1992

RECEIVED

FEB 11 1992

Idaho Department of Water Resources
P.O. Box 2, Boise, ID 83720

Attention: Judy Givens
Southern Region
Idaho Department of Water Resources
222 Shoshone St. E.
Twin Falls, ID 83301

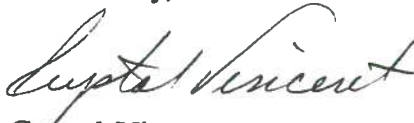
RE: SRBA CLAIMS IN THE SOUTHERN REGION

Dear Judy:

The attached is a list of our clients for whom we filed claims in the SRBA, and who by signing and returning a letter to our office, have requested that we continue to represent them in the adjudication process.

The claims highlighted identify those we filed in your region. Please check these claims and make certain that we are shown on your computer as representative, in order for us to receive the mailings from the department and perform the required service for our clients in a timely manner.

Yours truly,



Crystal Vincent

CV:mw
02059207.CV

MICROFILMED

MAR 17 1993

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

In Re SRBA

SUBCASE NO: 71-02047B

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

**THIS FORM MAY ONLY BE USED IF ALL PARTIES HAVE STIPULATED TO ALL
ELEMENTS OF ONE WATER RIGHT AND MAY BE SUBMITTED AT ANY TIME
FOLLOWING THE CLOSE OF THE STATUTORY RESPONSE PERIOD.**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

James P. Speck, Attorney for Claimant Date

Allen Merritt Date
Southern Regional Manager, IDWR

Nicholas B. Spencer (As to Form) Date
Attorney for IDWR

AJ5856NP

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

DATE: JUN-27-2000
PAGE: A-7

RIGHT NUMBER: 71-02047B

NAME & ADDRESS: CANDACE P HUMPHREYS
W MICHAEL HUMPHREYS
10495 STONE QUARRY RD
PAYETTE ID 83661

SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 2.8 CFS

PRIORITY DATE: 03/25/1925

POINT OF DIVERSION: T08N R14E S13 NESWSW Within CUSTER County
S23 NWNWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	05-01 10-31	2.8 CFS

PLACE OF USE:	IRRIGATION	Within CUSTER County			
	T08N R14E S15	SWNW 11	SENW 0.6	NESW 37	NWSW 40
		SWSW 14	SESW 23	NWSE 11	SWSE 23
	159.6 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 159.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 71-02047B, 71-02054, AND
71-04018.

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 EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: JUN-27-2000
PAGE: A-8

RIGHT NUMBER: 71-02047B (CONT)

EXPLANATORY MATERIAL: (CONT)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 71-02047B, 71-02054, AND 71-04018.

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on _____, 2000, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment and Natural
Resources Division
550 West Fort Street, Box 33
Boise, ID 83724-0663

James P. Speck
Speck and Aanestad
Attorney for Claimant
120 East Avenue
Ketchum, ID 83340

Signature of person or attorney mailing the form

RECEIVED

SEP 17 1999

Department of Water Resources
Southern Region

RECEIVED

AUG 30 1999

Department of Water Resources

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

I, W. MICHAEL HUMPHREYS, individually and as trustee of THE HUMPHREYS TRUST, designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 26th day of April, 1999.


W. MICHAEL HUMPHREYS

STATE OF Massachusetts)
) ss.
County of Essex)

On this 26th day of April, 1999, before me, the undersigned notary public in and for said state, personally appeared W. MICHAEL HUMPHREYS, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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


Notary Public for Com. of Massachusetts
Residing at: Swampscott, MA
Commission expires 4/6/01

RECEIVED

OCT 27 1999

Department of Water Resources
Southern Region

RECEIVED

OCT 07 1999

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 71-02047B

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: W. Michael Humphreys & Candace P. Humphreys

Address: 10495 Stone Quarry Road
Payette, ID 83661

Daytime Phone: (781) 890-2244

Name & Address of Attorney, if any:

James P. Speck
SPECK & AANESTAD
A Professional Corporation
PO Box 987
Ketchum, ID 83340

**C. CLAIMANT OF WATER RIGHT AS LISTED IN AMENDED DIRECTOR'S
REPORT**

Name: W. Michael Humphreys & Candace P. Humphreys

Address: 10495 Stone Quarry Road
Payette, ID 83661

D. I object to the following elements as recommended in the Amended Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☐ **Point(s) of Diversion**

Should be:

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Place of Use**

Should be: The 220 acres described as the place of use in Notice of Claim A71-04018. Water Right No. 71-02047B can be limited to the irrigation of 140 acres within this 220 acre permissible or combined place of use.

10. **I object because:**

☐ This water should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Water has been beneficially used pursuant to the Water Rights Nos. 71-02047B, 71-02054 and 71-04018 on the 220 acre place of use described in Notice of Claim A71-04018.

F.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

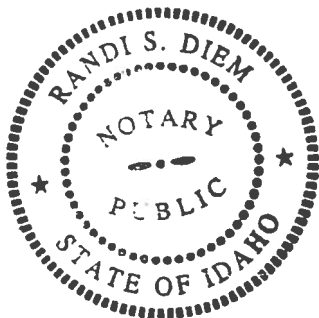
James P. Speck, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

James P. Speck
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 6, 1999



Randi S. Diem
Notary Public for Idaho
Residing at Hailey, ID
My Commission expires 8-29-03

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on October 6, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

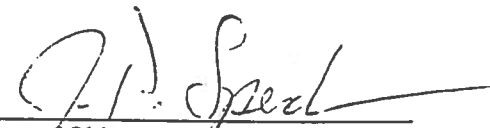
Name: W. Michael Humphreys & Candace P. Humphreys
Address: 10495 Stone Quarry Road
Payette, ID 83661

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney mailing on
Objector's behalf

ALAN LANCE
Attorney General

SARA C. DENNISTON
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 327-7900
Fax: (208) 327-5400

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

In Re SRBA Claimant	)	Subcase Nos. 71-02054, 71-04018, and
	)	71-02047B
	)	
	)	
Case No. 39576	)	AFFIDAVIT OF DAVID R.
	)	TUTHILL, JR. SUBMITTING
	)	SUPPLEMENTAL DIRECTOR'S
	)	REPORT
	)	
	)	

STATE OF IDAHO)
County of Ada) ss.

David R. Tuthill, Jr., being first duly sworn, deposes and states as follows:

1. My name is David R. Tuthill, Jr. I am the Adjudication Bureau Chief for the Idaho Department of Water Resources (IDWR).
2. My work address is Idaho Department of Water Resources (IDWR), 1301 North Orchard, Boise, Idaho 83706. I reside in Boise, Idaho.
3. My educational background includes a Bachelor of Science degree in agricultural engineering from Colorado State University at Fort Collins, Colorado, in 1974, and a Master of Science degree in civil engineering from the University of Colorado at Boulder, Colorado, in

1975. I have also attended and presented papers at numerous seminars on water rights investigation and administration.

4. I have been registered as a professional engineer in Idaho since 1979.

5. I have worked for IDWR for 22 years in the following positions respectively: Adjudication Section Supervisor; Payette Adjudication Supervisor; Water Allocation Section Supervisor; Regional Office Manager of IDWR's Western Regional Office; and currently as Adjudication Bureau Chief. In these positions I have investigated hundreds of water rights, including reviewing their descriptions in decrees, licenses and permits. I have supervised the distribution of water to water right holders and resolved disputes between competing water users. I have extensive first-hand knowledge of how water rights for a variety of uses interact with other water rights from the same source. I have extensive first-hand experience with the difficulty of resolving disputes between water right holders when the water use under a right is not adequately described.

6. I am familiar with the factual and legal basis for IDWR's policy regarding its recommendation of quantity, irrigated acreage, and remarks relating to specific elements of water rights.

7. I have either personal knowledge of the facts I testify to in this Affidavit, or they are available to me from IDWR records and personnel, and are the type of facts or data that are regularly and customarily considered by experts in the field of water use and water right investigation and administration to be a reasonable basis to form an opinion about such water use or water right.

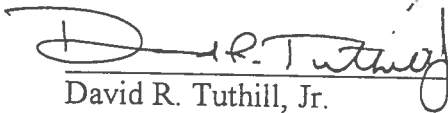
8. I adopt as my testimony and incorporate in this Affidavit the Legal Principles and the Conclusions portions of the Supplemental Director's Report Regarding Claim to Water Right

Nos. 71-02054, 71-04018, and 71-02047B dated October 6, 1999, attached to this Affidavit as Exhibit 1.

9. Attachment C to Exhibit 1 is a printed color copy representing a shape file in IDWR's Geographical Information System database. These printed copy is the type of data regularly and customarily considered by experts in the field of water use and water right investigation and administration to be a reasonable basis to assist in forming an opinion about such water use or water right.

10. In Exhibit 1, I set forth my factual understanding of the law which underlies my opinion on behalf of IDWR regarding its description of specific elements of water right numbers 71-02054, 71-04018, and 71-02047B. To the extent, if any, these statements are inaccurate as a matter of fact, the opinions expressed in my report may change.

Dated this 6th day of October, 1999


David R. Tuthill, Jr.

SUBSCRIBED AND SWORN before me this 6th day of October, 1999

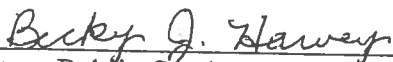

Notary Public for the State of Idaho
Residing at: Boise
My commission expires: 2/25/2003

EXHIBIT 1

**SUPPLEMENTAL DIRECTOR'S REPORT REGARDING CLAIMS
TO WATER RIGHT Nos. 71-02054, 71-04018, and 71-02047B**

In Re SRBA

Twin Falls County Civil Case No. 39576
Subcase Nos. 71-02054, 71-04018, and 71-02047B

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill Jr., Adjudication Bureau Chief

October 6, 1999

The Director of the Idaho Department of Water Resources (IDWR) submits this Supplemental Director's Report Regarding Claims to Water Right Nos. 71-02054, 71-04018, 71-02047B, in accordance with Idaho Code § 42-1412(4) and Administrative Order 1. This supplemental director's report was prepared under the supervision of Karl J. Dreher, Director, and David R. Tuthill, Jr., Adjudication Bureau Chief for IDWR. The following persons assisted in the preparation of the following portions of this report:

Kelly K. Christensen, Senior Water Resource Agent, IDWR Southern Region investigated the place of use for claim numbers 71-02054, 71-04018 and 71-02047B, and prepared the recommendations for these claims.

Allen Merritt, Regional Manager, IDWR Southern Region investigated the diversion locations and measured the diversion rates for claim numbers 71-02054, 71-04018, and 71-02047B and helped to prepare this Supplemental Report.

Doug Jones, Regional Supervisor, IDWR Southern Region helped to prepare this Supplemental Report.

LEGAL PRINCIPLES UNDERLYING RECOMMENDATION OF WATER RIGHT NUMBERS 71-02054, 71-04018, 71-02047B

IDWR's recommendations of the water rights are based upon its application of the following legal principles. These principles are not described for purposes of legal argument, but simply for the purpose of describing the basis of IDWR's recommendations for these water rights. If IDWR's understanding of these principles is erroneous or inaccurate, the conclusions reached in this report may change.

1. Beneficial use is the basis, measure and extent of any water right.
2. The description of the beneficial use is the description of the water right.
3. Because beneficial use is the basis, measure and extent of any water right, a water right holder is entitled to irrigate only those lands on which water has been historically put to beneficial use pursuant to that water right.
4. Because beneficial use is the basis, measure and extent of any water right, a water right holder is entitled to use only that quantity of water that has been put to beneficial use on those lands historically irrigated pursuant to that water right.
5. The determination of the extent of beneficial use in a water right license is binding on the Department of Water Resources.
6. A water right will be considered abandoned or forfeited to the extent that it has not been beneficially used for five or more years.
7. As between appropriators, the first in time is first in right.

**FACTUAL FINDINGS UNDERLYING RECOMMENDATION OF
WATER RIGHT NUMBERS 71-02054, 71-04018, and 71-02047B**

I. Basis of Claims

A. Water right 71-04018 is a beneficial use claim

B. Water right 71-02054 is based on a license. License number 71-02054 was issued on September 8, 1943, for 3.3 cfs on 165 acres. A certified copy of the license is attached as Attachment A.

C. Water right number 71-02047B is based on a license. License number 71-02047 was issued on July 3, 1930, for 2.8 cfs on 140 acres. Water right number 71-02047A was originally claimed in the SRBA by Redmond and Hays. Subsequently W. Michael Humphreys acquired the entire licensed place of use. The recommendation for 71-02047B represents the full extent of beneficial use on the original place of use under license number 71-02047. A certified copy of the license is attached as Attachment B.

II. Investigation of Water Right number 71-02054

This report addresses the element of water right number 71-02054 that is in dispute. IDWR understands the element to be Place of Use (irrigated acreage).

A. Place of Use

1. IDWR recommended a total of 159.6 irrigated acres for water right number 71-02054. IDWR recommended this acreage based on the following:
 - a. On 8-17-1995 Kelly Christensen, IDWR Senior Water Agent, visited the claimed place of use, conducted a field examination and observed an irrigated parcel within the area claimed under water right number 71-02054. During the field exam, Mr. Christensen observed two main ditches originating at the eastern side of the place of use. One ditch parallels the hillside trending north-northwest to the farmstead and then swings west-northwest. It continues in this general direction until it reaches the property boundary in the SWNW of section 15. Mr. Christensen walked the length of this ditch and did not observe any irrigation north of this ditch. Mr. Christensen observed another ditch heading west for approximately ¼ mile and then heading slightly west-northwest, ending in the SWSW of section 15. He walked the length of this ditch and did not observe any diversions from that ditch toward Champion Creek to the south. During the field exam Mr. Humphreys' irrigator, Ray Seal confirmed that these two ditches form the northern and southern boundaries of the irrigated place of use. The southern and northern boundaries of the recommended place of use are the locations of these delivery ditches. The recommended place of use reaches the property boundary in the SWSW of section 15, where the southern ditch ends. The property line forms the western and the eastern boundaries of the recommended place of use. The recommended place of use also includes minor areas along the

western and southwestern portion of the place of use, which are not irrigated, but were considered too small individually to exclude from the recommended place of use. The recommended place of use also includes the farmstead building sites, outbuildings, roadways, parking areas, and corral sites.

- b. License number 71-02054 granted a 165 acre place of use. Mr. Christensen determined that 5.4 acres of the licensed place of use has been forfeited. During his 1995 field exam, Mr. Christensen observed that no irrigation was presently occurring to the north of the north irrigation ditch described above or to the south of the south irrigation ditch described above. Mr. Seal confirmed that fact. Mr. Christensen also compared a 1974 orthophotograph V-70, 8/8/1987 NAPP photograph number 437-22, attached as Attachment D, 1988 NAPP photograph number 441-137, and a copy of a Forest Service photo (date unknown). These aerial photos confirmed that there was no irrigation north of the north main ditch or south of the south main ditch. Mr. Christensen utilized GIS technology, as described below, to determine that this area between the ditches and the property boundaries consists of 159.6 acres. Thus, he determined that only 159.6 acres have been irrigated on this place of use during the time period between 1974 and 1995.
- d. In analysis of the number of acres irrigated, GIS technology was utilized. Mr. Christensen created a GIS shape file by translating field notes made on the undated Forest Service photo and referencing orthophotograph V-70. The GIS shape file photo underlay was NAPP photograph number 437-22, dated 8/8/1987. It was determined that 159.6 acres are being irrigated. A copy of the GIS shape file is attached as Attachment C.
- e. IDWR therefore continues to recommend 159.6 acres as irrigated under water right number 71-02054.

III. Investigation of Water Right number 71-04018

This report addresses those elements of water right numbers 71-04018 that are in dispute. IDWR understands those elements to be Place of Use (irrigated acreage) and priority date.

A. Place of Use

- 1. IDWR recommended a total of 159.6 irrigated acres for water right number 71-04018. IDWR recommended this acreage based on the following:
 - a. The place of use for this water right number 71-04018 is the same as that for water right number 71-02054 and the place of use for water right number 71-04018 was determined through the field exam described above in item II.A.1.
 - b. In analysis of the number of acres irrigated, GIS technology was utilized as described above in item II.A.1.d. The GIS shape file is attached as Attachment C.

B. Priority Date

1. The Department recommended a priority date of May 25, 1957, for water right number 71-04018. However, it recommended a season of use beginning on May 1. Therefore, IDWR and the parties have agreed to stipulate to a priority date of May 1, 1957.

IV. Investigation of Water Right number 71-02047B

This report addresses the element of water right number 71-02047B that is in dispute. IDWR understands the element to be the Place of Use (irrigated acreage).

A. Place of Use (irrigated acres)

1. License number 71-02047 listed a 140 acre place of use. The license included the legal descriptions for 80 acres of the place of use. The remaining 60 acres were merely described as natural meadow. The place of use was claimed as licensed.
2. IDWR originally recommended the place of use for water right number 71-02047B as 80 acres. The claim was subsequently amended to specify the legal descriptions on all 140 acres claimed. Based on the amended claim, IDWR issued an amended director's report on September 24, 1999, recommending 140 acres within a permissible place of use of 159.6 acres as the place of use. IDWR believes that this amended director's report resolves Mr. Humphreys' objection to the place of use for water right number 71-02047B.

CONCLUSIONS

Based on the foregoing legal principles and factual findings, IDWR has determined that its recommendations for claim to water right numbers 71-02054 and 71-04018 as represented in Attachment E and its amended recommendation for water right number 71-02047B as represented in Attachment F are accurate and should be so recommended by the Special Master.

ATTACHMENT A

State of Idaho

License and Certificate of Water Right

Water License No. 17343

Amount 3.30 second feet

Water District No.

Priority July 28, 1930

THIS IS TO CERTIFY that ORA McVEY and GEYER McVey of Kimberly, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 28, 1930; that Permit No. 17343 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.8 second feet, was issued thereunder on February 3, 1937, showing that said works were completed on the 15th day of October, 1935; and that on the 30th day of July, 1941,

GEYER M. McVEY in his own right, and GEYER M. McVEY and MERTON O. McVEY, heirs of Ora McVey of Twin Falls, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Champion Creek, a tributary of Salmon River, for the purpose of irrigation and domestic use, under Use Permit No. 17343 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer, Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 4174, on the 8th day of September, 1943;

The right hereby confirmed dates from July 28, 1930;

The Point of Diversion is located 800 ft. distant from the N E corner Section 23, T. 8 N., R. 14 E., in the NE 1/4 NE 1/4, Sec. 23, Tp. 8 N., R. 14 E., B. M. Custer County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.30 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 N.	14 E.	15	SW 1/4 NE 1/4	40	--
			SE 1/4 NE 1/4	40	--
			SW 1/4 NW 1/4	40	15
			SE 1/4 NW 1/4	40	5
			NE 1/4 SW 1/4	40	35
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	15
			SE 1/4 SW 1/4	40	25
			NE 1/4 SE 1/4	40	--
			NW 1/4 SE 1/4	40	5
			SW 1/4 SE 1/4	40	25
			SE 1/4 SE 1/4	40	--
			Total Number of Acres Irrigated -		165

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

WITNESS the seal and signature of the State Reclamation Engineer, Commissioner of Reclamation, affixed at Boise, Idaho, this 8th day of September, 1943

JAMES SPOFFORD

Commissioner of Reclamation
State Reclamation Engineer

(SEAL)

71 2051

ATTACHMENT B

State of Idaho

License and Certificate of Water Right

Water License No. 16201
 Water District No.

Amount 2.8 sec. ft.
 Priority 3-25-1925

THIS IS TO CERTIFY that George L. Young, of Challis, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 25, 1925; that Permit No. 16201 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.4 second feet, was issued thereunder on February 20, 1925, showing that said works were completed on the 19th day of February, 1925; and that on the 29th day of September, 1927,

George L. Young, of Challis, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Champion Creek, a tributary of Salmon River, for the purpose of irrigation and domestic use, under Use Permit No. 16201 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3621, on the 3rd day of July, 1930;

The right hereby confirmed dates from March 25, 1925;

The Point of Diversion is located in the NE ¼ NE ¼, Sec. 23, Tp. 8 N., R. 14 E., B.M. Custer County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 N.	14 E.	15	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	10
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	10
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	10
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	10
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	5
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	15
			Also, natural meadow		<u>60</u>
				Total 140	

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 3rd day of July, 1930.

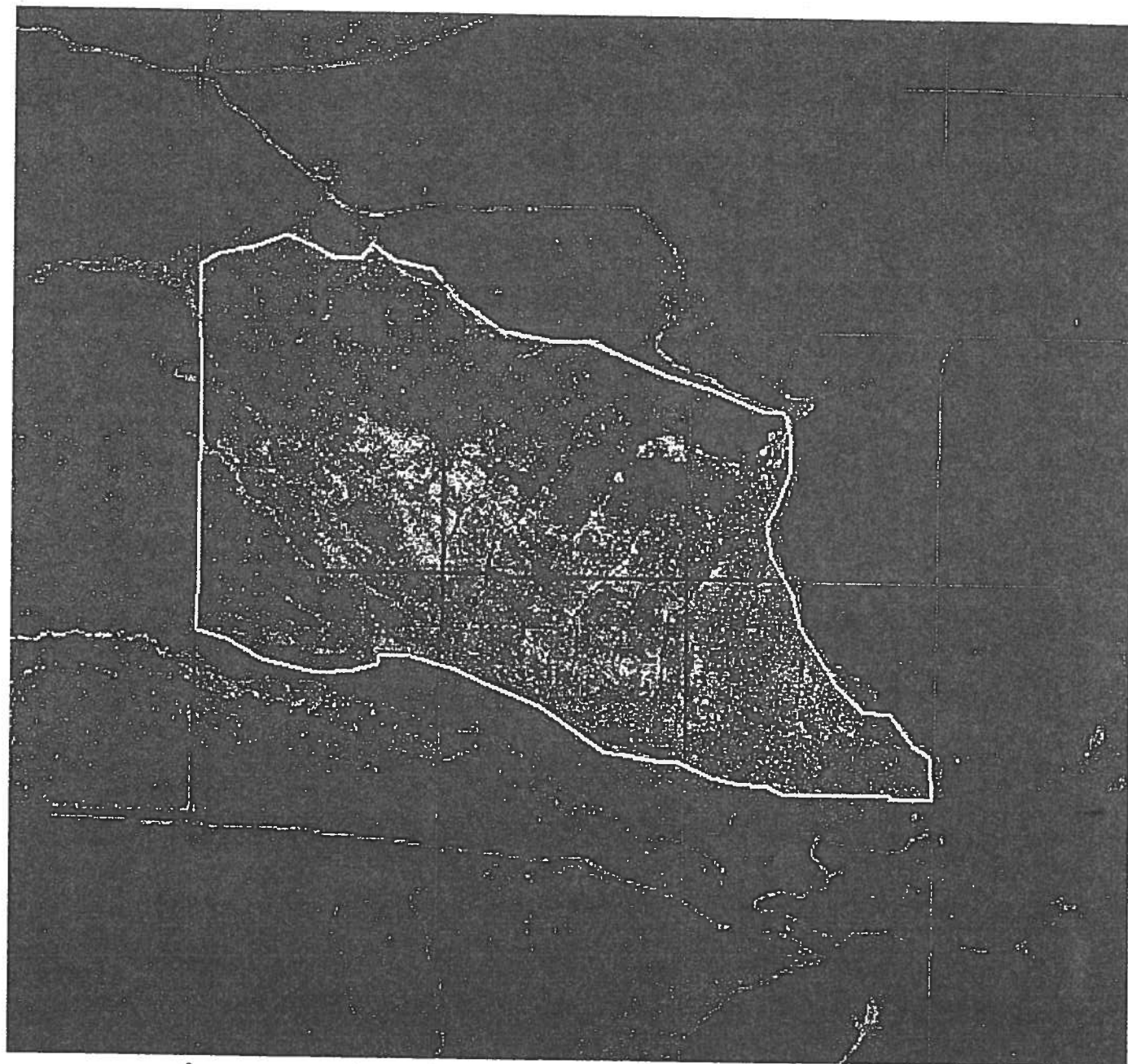
GEO. N. CARTER
 Commissioner of Reclamation

(SEAL)

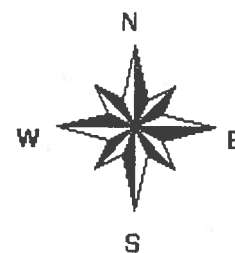
(Quit-claim Deed transferring from George L. Young and Pearl Z. Young to Ora McVey and Geyer McVey, August 1, 1930, recorded under Permit No. 16201.)

ATTACHMENT C

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED PLACE OF USE FOR
71-02054, 71-02047B, & 71-04018



0 1320 2640 3960 Feet

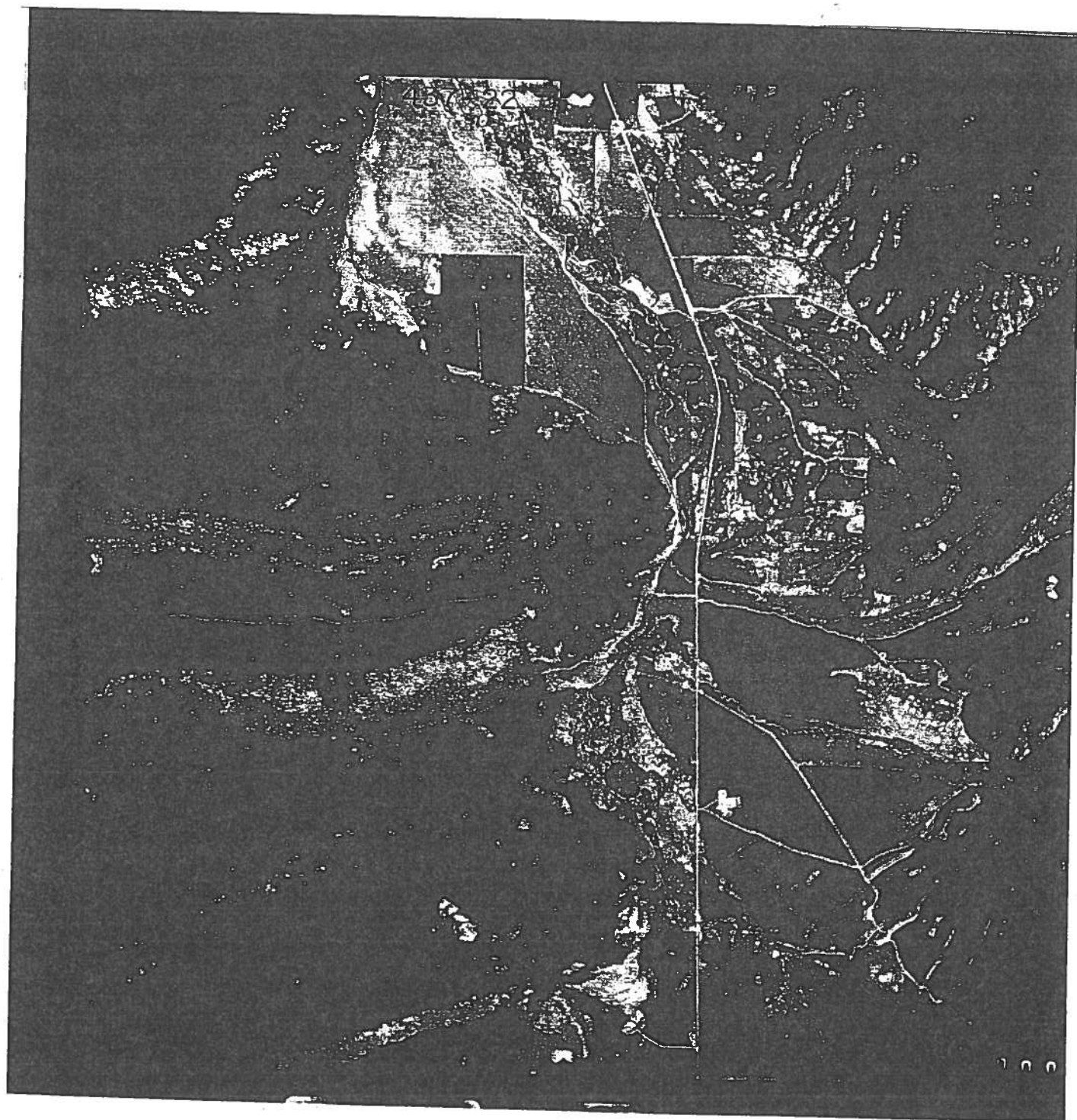


RECOMMENDED PLACE OF USE
DATA ENTRY ON OCTOBER 1, 1999
TWP 08N; RNG 14E; SEC 15

○ RECOMMENDED POINT OF DIVERSION
○ RECOMMENDED PLACE OF USE
□ SECTION LINES
□ QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

ATTACHMENT D



ATTACHMENT E

AJ5856NP

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

DATE: SEP-28-1999

PAGE: A-5

RIGHTS FROM: SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-02054

NAME & ADDRESS: W MICHAEL HUMPHREYS
C PETRE HUMPHREYS
72 ABBOTT RD
WELLESLEY HILLS MA 02181

SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 3.3 CFS

PRIORITY DATE: 07/28/1930

POINT OF DIVERSION: T08N R14E S13 NESWSW Within CUSTER County
S23 NWNWNW

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 05-01 10-31 3.3 CFSPLACE OF USE: IRRIGATION Within CUSTER County
T08N R14E S15 S11 11 SENW 0.6 NESW 37 NWSW 40
SWSW 14 SESW 23 NWSE 11 SWSE 23
159.6 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 159.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 71-02047B, 71-02054, AND
71-04018.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 71:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

RIGHTS FROM:	SOURCE: CHAMPION CREEK	TRIBUTARY: SALMON RIVER
RIGHT NUMBER:	71-02054	(CONT)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 71-02047B, 71-02054, AND 71-04018.

AJ5856NP

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

DATE: SEP-28-1999
PAGE: A-11

RIGHTS FROM: SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-04018

NAME & ADDRESS: C PETRE HUMPHREYS
W MICHAEL HUMPHREYS
72 ABBOTT RD
WELLESLEY HILLS MA 02181

SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 2.4 CFS

PRIORITY DATE: 05/25/1957

POINT OF DIVERSION: T08N R14E S13 NESWSW Within CUSTER County
S23 NWNWNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 05-01 10-31 2.4 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T08N R14E S15 SWNW 11 SENW 0.6 NESW 37 NWSW 40
SWSW 14 SESW 23 NWSE 11 SWSE 23
159.6 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 159.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 71-02047B, 71-02054, AND
71-04018.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 71:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

AJ5856NP

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

DATE: SEP-28-1999

PAGE: A-12

RIGHTS FROM:

SOURCE: CHAMPION CREEK

TRIBUTARY: SALMON RIVER

RIGHT NUMBER:

71-04018 (CONT)

EXPLANATORY MATERIAL: (CONT)

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 71-02047B, 71-02054, AND 71-04018.

ATTACHMENT F

AJ5856NP

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

DATE: OCT-6-1999
PAGE: A-1

RIGHTS FROM: SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-02047B

NAME & ADDRESS: CANDACE P HUMPHREYS
W MICHAEL HUMPHREYS
10495 STONE QUARRY RD
PAYETTE ID 83661

SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 2.8 CFS

PRIORITY DATE: 03/25/1925

POINT OF DIVERSION: T08N R14E S13 NESWSW Within CUSTER County
S23 NWNWNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 05-01 10-31 2.8 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T08N R14E S15 SWNW 11 SENW 0.6 NESW 37 NWSW 40
SWSW 14 SESW 23 NWSE 11 SWSE 23
159.6 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 159.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 71-02047B, 71-02054, AND
71-04018.

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

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

DATE: OCT-6-1999

PAGE: A-2

RIGHTS FROM: SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-02047B (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 71:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 71-02047B, 71-02054, AND 71-04018.

EXHIBIT 2

ALAN LANCE
Attorney General

SARA C. DENNISTON
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 327-7900
Fax: (208) 327-5400

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

In Re SRBA Claimant

) Subcase Nos. 71-02054, 71-04018, and
) 71-02047B
)
)
)

Case No. 39576

) AFFIDAVIT OF KELLY CHRISTENSEN
)
)
)
)

STATE OF IDAHO)

) ss.

County of Ada)

Kelly Christensen, being first duly sworn on oath, deposes and states as follows:

1. My name is Kelly Christensen, and I am a Senior Water Resource Agent with the Idaho Department of Water Resources (IDWR). I make the following statements based upon my personal knowledge of the facts related therein.

2. My work address is Idaho Department of Water Resources (IDWR), Southern Regional Office, 1241 Fillmore St, Suite 200, Twin Falls, ID 83301-3380. I reside in Twin Falls, Idaho.

3. I have participated in numerous hearings in front of the Snake River Basin Adjudication Court, settlement conferences and meetings with parties to the Snake River Basin Adjudication.

4. My educational background and relevant work experience is described in Exhibit 1 to this affidavit.

5. I conducted the investigation of claims to water right numbers 71-02054, 71-04018, and 71-02047B. I also prepared the recommendation for these claims.

6. Based on my investigation and knowledge of these claims, I adopt as my testimony and incorporate in this Affidavit the Factual findings portions of the Supplemental Director's Report Regarding Claim to Water Right numbers 71-02054, 71-04018, and 71-02047B dated October 6, 1999, attached to the Affidavit of David R. Tuthill, Jr. as Exhibit 1.

Dated this 7th day of Oct, 1999

Kelly K. Christensen
Kelly K Christensen

SUBSCRIBED AND SWORN before me this 7th day of October 1999

Joseph Jones
Notary Public for the State of Idaho
Residing at: Buhl, ID
My commission expires: 8/8/2001

KELLY CHRISTENSEN
EDUCATION AND WORK EXPERIENCE

1. My educational background includes four semesters from 1966 through 1971 at Casper Junior College where I majored in engineering, and a bachelor's degree in Business Management from Boise State University in May 1991. As a part of my college curriculum I took engineering courses such as Statics, thermodynamics, and calculus. Additionally, Graduated from Automation Training University April 1968. Denver Colorado (computer programming course.)
2. I Served in the United States Army April 1968 through November 1970. Honorably discharged with the rank of Specialist 5th class. MOS = Fixed Station Technical Control. (communications field)
3. My related agricultural work experience includes the following:
 - a. I grew up on a ranch in Wyoming where we ran cattle and sheep and raised hay and grain crops on a gravity surface water irrigation system using contour ditches.
 - b. After my father passed away in 1971 I managed the family farm until 1987. Job responsibilities included irrigating, surveying in ditches with the help of the SCS, leveling fields, maintaining the parshall flume used for water measurement, acreage determination using aerial photography and other sources for various management purposes, and many other related tasks such as maintaining windmills and small reservoirs for stockwater.
 - c. While on the ranch, I was elected to the Powder River Conservation Board in Kaycee Wyoming where I assisted in establishing county conservation plans
 - d. I was also elected as secretary/treasurer of the North Fork Water Users Association where I was responsible for maintaining financial records of the association and assisted in decision making for the maintenance of and delivery from the Dull Knife Reservoir. This association consisted of water users receiving water from the North Fork of the Powder River that banded together to construct the reservoir for mutual benefit.
4. My related water rights experience includes the following:
 - a. Personal water management while ranching in Wyoming based on water rights appurtenant to the ranch.
 - b. While attending College at Boise State University, I was employed by the Department of Water Resources as a summer field agent from May of 1988 to May of 1991. I conducted field examinations of water right permits to verify to what extent that the right holder had actually developed his use. I was responsible for measuring diversions, determining the actual beneficial use, and completing a field examiner's report for state office processing.

The department trained me on the use of measurement devices such as (but not limited to) flow meters such as the Annubar, various weirs, orifice plates, and the pigmy current meter. In some unusual circumstances a timed volume method had to be developed in the field to obtain a measurement. These measurements were normally compared against theoretical methods as a check.

I verified the place of use in the field by comparing the irrigated ground against aerial photography. I then computed the irrigated acreage using tools such as the planimeter. Map skills include a working knowledge of the public land survey system, and the use of ortho photo quad maps.

I was required to interview the permit holder to obtain the necessary information about his system to be able to complete the report.

- c. After graduating I was hired by the department as a Senior Water Resource Agent in Twin Falls specifically in the adjudication section. I have held this position since May of 1991. While in this position I have continued training in the new technology as it has come available. Examples are the polysonic flow meter, the global positioning system, and the arc view geographical information system.

My responsibilities while working at the Twin Falls office have been as a field agent verifying adjudication claims primarily in basins 36, 43, 71, and 72. I have verified surface water flood irrigation, and gravity pressure sprinkler systems, groundwater sprinkler systems using center pivots, wheel lines, and/or hand lines.

I have worked extensively with the electronic recording and researching of water rights through the department's computer system. I have created several hundred 'shape files' representing water rights, using arc view. I was also part of the team that rectified NAPP photography and mosaiced them into township images using Blue Marble software.

While working for the Department of Water Resources as a Senior Agent I have completed the following training;

1. Certificate of Technical Skill received from the Department of Water Resources on November 21, 1997 in the following areas:

TOPIC	PERFORMING LEVEL
Irrigation Diversion Rate Analysis	Operational
Flow Measurements	Operational
Geographic Info. Systems	Advanced
Database Research & Maintenance	Operational
Legal Analysis & Procedure	Operational
2. NT, Arc Introduction to GIS Utilization Training covering Windows View 3, and Blue Marble Geographies. March 1997

The Director of the Idaho Department of Water Resources (IDWR) submits this Supplemental Director's Report Regarding Claims to Water Right Nos. 71-02054, 71-04018, 71-02047B, in accordance with Idaho Code § 42-1412(4) and Administrative Order 1. This supplemental director's report was prepared under the supervision of Karl J. Dreher, Director, and David R. Tuthill Jr., Adjudication Bureau Chief for IDWR. The following persons assisted in the preparation of the following portions of this report:

Kelly K Christensen, Senior Water Resource Agent, IDWR Southern Region investigated the place of use for claim numbers 71-02054, 71-04018, and 71-02047B, prepared the recommendations for these claims.

Allen Merritt, Regional Manager, IDWR Southern Region investigated the diversion locations and measured the diversion rates on 7-01-1993. He was accompanied by Gladys Laverty. He did not verify the place of use for claim numbers 71-02054, 71-04018, and 71-02047B. He helped to prepare this Supplemental Report.

Doug Jones, Regional Supervisor, IDWR Southern Region helped to prepare this Supplemental Report.

LEGAL PRINCIPLES UNDERLYING RECOMMENDATION OF WATER RIGHT NUMBERS 71-02054, 71-04018, 71-02047B,

IDWR's recommendations of the water rights are based upon its application of the following legal principles. These principles are not described for purposes of legal argument, but simply for the purpose of describing the basis of IDWR's recommendations for these water rights. If IDWR's understanding of these principles is erroneous or inaccurate, the conclusions reached in this report may change.

1. Beneficial use is the basis, measure and extent of any water right.
2. The description of the beneficial use is the description of the water right.
3. Because beneficial use is the basis, measure and extent of any water right, a water right holder is entitled to irrigate only those lands on which water has been historically put to beneficial use pursuant to that water right.
4. Because beneficial use is the basis, measure and extent of any water right, a water right holder is entitled to use only that quantity of water that has historically been put to beneficial use on those lands historically irrigated pursuant to that water right.
5. The determination of the extent of beneficial use in a water right license is binding on the Department of Water Resources.
6. A water right will be considered abandoned or forfeited to the extent that it has not been beneficially used for five or more years.
7. As between appropriators, the first in time is first in right.

DRAFT

**FACTUAL FINDINGS UNDERLYING RECOMMENDATION OF
WATER RIGHT NUMBERS 71-02054, 71-04018, and 71-02047B**

I. Basis of Claims

A. Water right 71-04018 is a beneficial use claim

B. Water right 71-02054 is based on a license. License number 71-02054 was issued on September 8, 1943 for 3.3 cfs on 165 acres. A certified copy of the license is attached as Attachment --.

C. Water right number 71-02047B is based on a license. License number 71-02047 was issued on July 3, 1930 for 2.8 cfs on 140 acres. Water right number 71-02047A was originally claimed in the SRBA by Redmond and Hays. Subsequently W. Michael Humphreys acquired the entire licensed place of use. The recommendation for 71-02047B represents the full extent of beneficial use on the original place of use under license number 71-02047.

II. Investigation of Water Right number 71-02054

This report addresses the element of water right number 71-02054 that is in dispute. IDWR understands the element to be Place of Use (irrigated acreage).

A. Place of Use

1. IDWR recommended a total of 159.6 irrigated acres for water right number 71-02054. IDWR recommended this acreage based on the following:
 - a. On 8-17-1995 IDWR Senior Water Agent Kelly Christensen visited the claimed place of use, conducted a field examination and observed an irrigated parcel within the area claimed under water right number 71-02054. The western boundary of the recommended place of use is the property boundary. The southern and northern boundaries of the recommended place of use are the locations of delivery ditches serving this property which Mr. Christensen observed during the field exam. Mr. Christensen observed two main ditches originating at the eastern side of the place of use. One ditch parallels the hillside running north-northwest to the farmstead and then swings west-northwest. It continues in this general direction until it reaches the property boundary in the SWNW of section 15. Mr. Christensen did not observe any irrigation north of this ditch. Mr. Christensen observed another ditch running west for approximately ¼ mile and then heading slightly west-northwest, ending in the SWSW of section 15. He did not observe any diversions from that ditch toward Champion Creek to the south. This ditch forms the southern boundary of the recommended place of use. The recommended place of use reaches the property boundary in the SWSW of section 15, where the southern ditch ends. The recommended place of use also includes minor areas along the western and southwestern portion of the place of use, which are not irrigated, but were considered too small individually to exclude

from the recommended place of use. The recommended place of use also includes the farmstead building sites, outbuildings, roadways, parking areas, and corral sites.

- b. License number 71-02054 granted a 165 acre place of use. Kelly Christensen utilized ortho photograph V-70 1974 flight, NAPP photographs V-70 SW 8-8-87 flight and V-70 SE 8-22-88 flight, and a copy of a Forest Service photo (date unknown) to identify the historically irrigated place of use. The irrigated place of use was also discussed with Ray Seal on 8-17-1995. Based upon that conversation it was understood that the two main ditches formed their respective northern or southern boundaries of the irrigated place of use. Mr. Christensen walked the length of both main ditches during the field examination and did not observe any areas where water was or had been diverted out of the main ditches away from the recommended irrigated place of use. In reviewing the four available aerial photos he did not observe any indication of irrigation north of the north main ditch or south of the south main ditch.
- c. The largest discrepancy between the recommendation and the original licensed and claimed place of use is 4 acres in the SWNW and 4.4 acres in the SENW. Mr. Christensen found 1 less acre in the SWSW and 2 fewer acres in each of the SESW and the SWSE. For acreage by forty acre tracts, see Table 1 at the end of this report. Based upon the available resources, no evidence of irrigation was found of those acres within those tracts from 1974 through 1995. Mr. Christensen found 2 acres in excess of the licensed acres NESW and 6 acres in excess in the SWSE. By recommending this right for the 159.6 acres he recognized an unrecorded transfer for those 8 acres under this right. The date of the transfer is unknown but based upon the same resources the change in place of use occurred prior to the 1974 aerial ortho photograph.
- d. In analysis of the number of acres irrigated, GIS technology was utilized. Mr. Christensen created a GIS shape file by translating field notes made on the undated Forest Service photo and referencing ortho photograph V-70. The GIS shape file photo underlay was the NAPP V-70 SW 8-8-87 flight. The irrigated place of use and the points of diversion are common to all three rights, therefore, only one layout was made.
- e. For 71-02054, there is no change in the recommendation.

III. Investigation of Water Right number 71-04018

This report addresses those elements of water right numbers 71-04018 that are in dispute. IDWR understands those elements to be Place of Use (irrigated acreage) and priority date.

A. Place of Use

1. IDWR recommended a total of 159.6 irrigated acres for water right number 71-04018. IDWR recommended this acreage based on the following:
 - a. The place of use for this right is exactly the same as described in item II.A.1.b. as observed by Kelly Christensen.
 - b. In analysis of the number of acres irrigated, GIS technology was utilized. Mr. Christensen created a GIS shape file by translating field notes made on the undated Forest Service photo and referencing ortho photograph V-70. The GIS shape file photo underlay was the NAPP V-70 SW 8-8-87 flight. The irrigated place of use and the points of diversion are common to all three rights, therefore, only one layout was made.
 - c. For 71-04018, the only recommended change is the priority date.

B. Priority Date

The Department recommended a priority date of May 25, 1957 for water right number 71-04018. However, it recommended a season of use beginning on May 1. Therefore, IDWR and the parties have agreed to stipulate to a priority date of May 1, 1957.

IV. Investigation of Water Right number 71-02047B

This report addresses the element of water right number 71-02047B that is in dispute. IDWR understands the element to be the Place of Use (irrigated acreage).

A. Place of Use (irrigated acres)

1. License number 71-02047 listed a 140 acre place of use. The license included the legal descriptions for 80 acres of the place of use. The remaining 60 acres were merely described as natural meadow. The place of use was claimed as licensed.
2. IDWR originally recommended the place of use for water right number 71-02047B as 80 acres. The claim was subsequently amended to specify the legal descriptions on all 140 acres claimed. Based on the amended claim, IDWR issued an amended director's report on September 24, 1999 recommending 140 acres within a permissible place of use of 159.6 acres as the place of use.
 - a. The claimed place of use by forty-acre tract exceeded the recommended place of use in only one forty-acre tract. The claim lists 10 irrigated acres in the SENW whereas the recommendation is for 0.6 acres. The recommended place of use exceeds the claimed place of use in 3 different forty-acre tracts. They are, 1 acre in the SWNW, 6 acres in NWSE, and 8 acres in the SWSE. The claim and recommendation match in all other tracts. See Table 1 at the end of this report for the comparison. The recommendation of all 140 claimed acres recognizes an

unrecorded transfer. The date of the transfer is unknown but based upon the same resources described in II.A.1.b. the change in place of use occurred prior to the 1974 aerial ortho photograph. In analysis of the number of acres irrigated, GIS technology was utilized.

b. Mr. Christensen created a GIS shape file by translating field notes made on the undated Forest Service photo and referencing ortho photograph V-70. The GIS shape file photo underlay was the NAPP V-70 SW 8-8-87 flight. The irrigated place of use and the points of diversion are common to all three rights, therefore, only one layout was made.

c. For 71-02047B, there is no change in the recommendation.

CONCLUSIONS

Based on the foregoing legal principles and factual findings, IDWR has determined that its recommendation for claim to water right numbers 71-02054, 71-04018, and 71-02047B as represented in Attachment --- is accurate and should be so recommended by the Special Master.

LAND-LIST FOR 71-04108, 71-02047B, & 71-02054

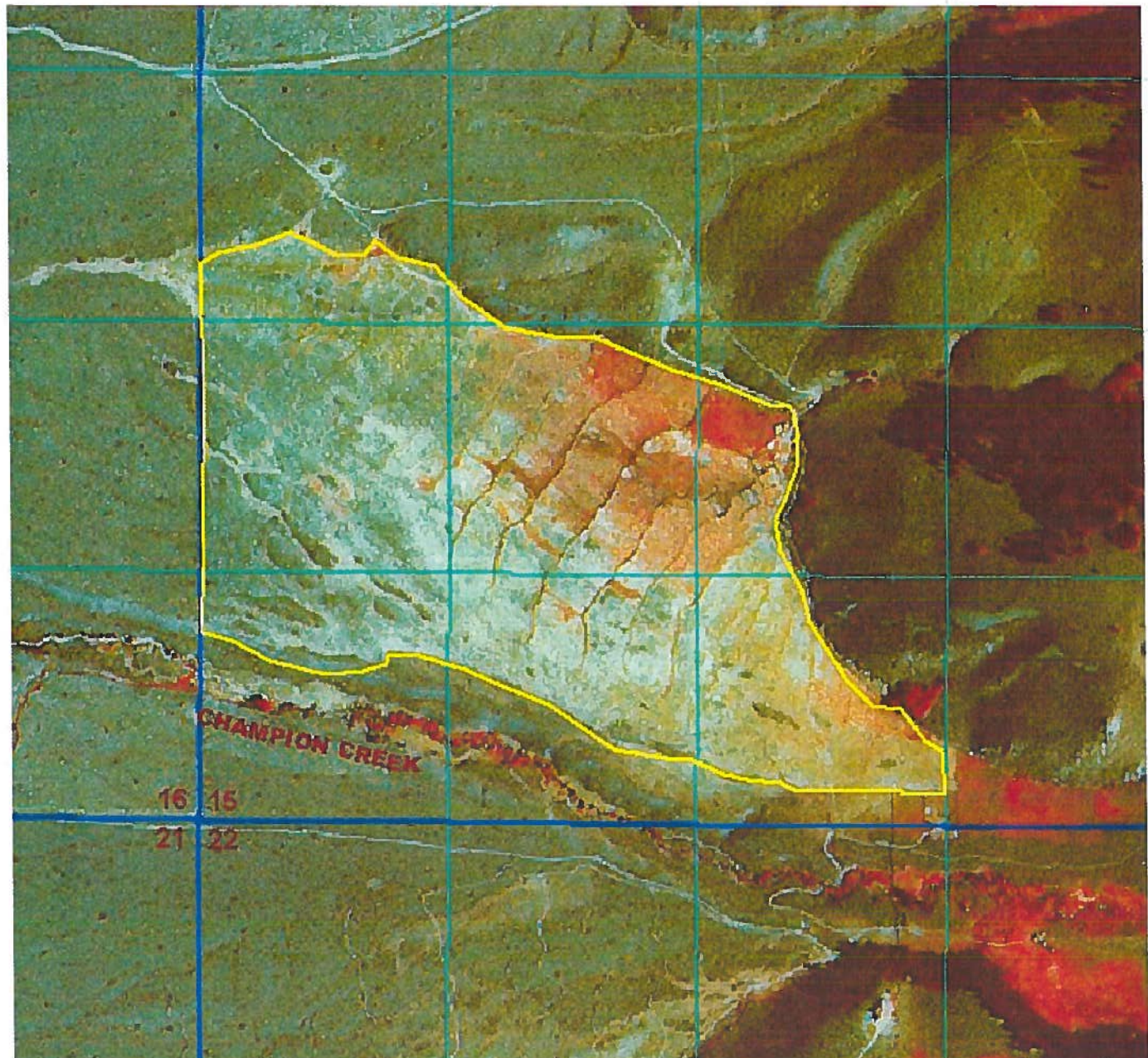
				NE				NW				SW				SE				
TNS	RNG	SEC		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIMED PLACE OF USE																				
71-04108	08N	14E	15							20	20	40	40	30	25		20	25		240
71-02047B			15							10	10	37	40		23		5	15		140
71-02054			15							15	5	35	40	15	25		5	25		165
FOUND P/U USING GIS																				
GIS	08N	14E	15							11	.6	37	40	14	23		11	23		159.6

Table 1

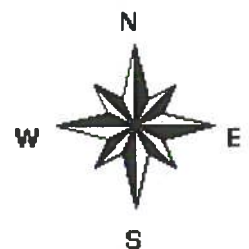
This table is a comparison of each claimed places of use by claim vs. the found acres using GIS and is provided as a summary review.

IDAHO DEPARTMENT OF WATER RESOURCES

**RECOMMENDED PLACE OF USE FOR
71-02054, 71-02047B, & 71-04018**



0 1320 2640 3960 Feet



RECOMMENDED PLACE OF USE
DATA ENTRY ON OCTOBER 1, 1999
TWP 08N; RNG 14E; SEC 15

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

AMENDED DIRECTOR'S REPORT

Subcase Nos. 71-02047B

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

September 24, 1999

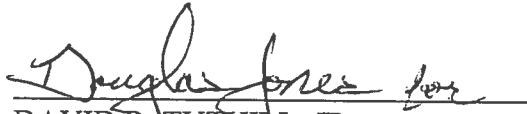
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the SRBA Court's Trial Scheduling Order of August 18, 1999, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned

subcases. Respectfully submitted this 24th day of September, 1999.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF MAILING

I certify that on 24 Sept, 1999, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

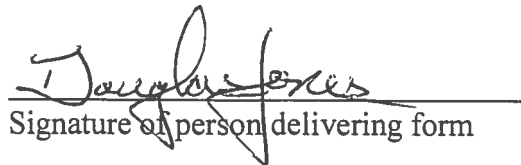
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Custer County Clerk
801 Main St.
Challis, ID 83226

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

James P. Speck
Speck & Aanestad
P.O. Box 987
120 East Avenue
Ketchum, ID 83340

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person delivering form

AJ5856NP

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

DATE: SEP-24-1999
PAGE: A-1

RIGHTS FROM: SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-02047B

NAME & ADDRESS: CANDACE P HUMPHREYS
W MICHAEL HUMPHREYS
10495 STONE QUARRY RD
PAYETTE ID 83661

SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 2.8 CFS

PRIORITY DATE: 03/25/1925

POINT OF DIVERSION: T08N R14E S13 NESWSW Within CUSTER County
S23 NWNWNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 05-01 10-31 2.8 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T08N R14E S15 SWNW 11 SENW 0.6 NESW 37 NWSW 40
SWSW 14 SESW 23 NWSE 11 SWSE 23
159.6 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 159.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 71-02047B, 71-02054, AND
71-04018.

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

AJ5856NP

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

DATE: SEP-24-1999

PAGE: A-2

RIGHTS FROM: SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-02047B (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 71:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 71-02047B, 71-02054, AND 71-04018.

Water Right Number - R71-02047B

Prefix Translation: RESEARCH

Old (D) Number - 16201

+ - - - - Last Name - - - +

+ - - - - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

HUMPHREYS

W MICHAEL

1 - 10495 STONE QUARRY RD

2 -

3 -

City- PAYETTE

Phone - 781-890-2244

State- ID Zip- 83661

HUMPHREYS

C PETRE

1 - 10495 STONE QUARRY RD

2 -

3 -

City- PAYETTE

Phone - 781-890-2244

State- ID Zip- 83661

*** O - ORIGINAL OWNER ***

ROSHOLT

JOHN

1 - ROSHOLT ROBERTSON & TUCKER

2 - PO BOX 1906

3 -

City- TWIN FALLS

Phone - 208-734-0777

State- ID Zip- 833031906

VON HAGEN FAMILY TRUST

1 - C/O LLOYD CORPORATION

2 - 12400 WILSHIRE BLVD #1180

3 -

City- LOS ANGELES

Phone - 208-000-0000

State- CA Zip- 90025

4TH OF JULY CREEK RANCH INC

1 - 24701 DANA DRIVE

2 -

3 -

City- DANA POINT

Phone - 714-240-3871

State- CA Zip- 92629

+ - - Priority Date - - +

03/25/1925

+ - - Region - - - +

17 SOUTHERN

+ - - Stage - - - +

L - LICENSE

+ - - Status - - - - - +

+ - - Source - - - - - +

CHAMPION CREEK

+ - - Tributary - - - - - +

SALMON RIVER

+ - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County

08N 14E 13 NE SW SW (37) CUSTER

23 NW NW NW (37) CUSTER

+ - - Code Description

01 - IRRIGATION

Period From 05/01

Period To 10/31

Water Use

Diversion Rate 2.800

Diversion Volume

+ - - Total Div. Rate - +

2.800

+ - - Total Div. Volume - +

0.0

+ - - Total Consumptive Use - +

0.0

+ - - KW Usage - - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
08N	14E	15	SW NW		11.0	01	IRRIGATION	CUSTER (37)
08N	14E	15	SE NW		0.6	01	IRRIGATION	CUSTER (37)
08N	14E	15	NE SW		37.0	01	IRRIGATION	CUSTER (37)
08N	14E	15	NW SW		40.0	01	IRRIGATION	CUSTER (37)
08N	14E	15	SW SW		14.0	01	IRRIGATION	CUSTER (37)
08N	14E	15	SE SW		23.0	01	IRRIGATION	CUSTER (37)
08N	14E	15	NW SE		11.0	01	IRRIGATION	CUSTER (37)
08N	14E	15	SW SE		23.0	01	IRRIGATION	CUSTER (37)

+ - - Diversion Means - DAM AND DITCH

+ - - Other Rights for Same Use - 71-02054, & 71-04018

[illegible]

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 14.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 159.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 71-020478, 71-02054, AND 71-04018.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 71-020478, 71-02054, AND 71-04018.

Old Water Right Numbers - - - - - +

Conditions of Approval

C03	- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION	
	- PURSUANT TO SECTION 42-1425, IDAHO CODE.	
C05	- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO	
	- SECTION 42-1425, IDAHO CODE.	
C13	- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER	
	- IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER	
	- RIGHTS IN BASIN 71:	
	- WATER RIGHT NO.	SOURCE
	- NONE	NONE
	- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER	
	- IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER	
	- RIGHTS IN THE SNAKE RIVER BASIN:	
	- WATER RIGHT NO.	SOURCE
	- NONE	NONE
	- ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES	
	- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED	

RECEIVED

JAN 14 1999

Department of Water Resources

RECEIVED

JAN 25 1999

Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

A. Subcase 71-02047B

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: W. Michael Humphreys & Candace P. Humphreys
 Address: 10495 Stone Quarry Road
 Payette, ID 83661
 Daytime Phone: (781) 890-2244

Name & Address of Attorney, if any:

James P. Speck
 SPECK & AANESTAD
 A Professional Corporation
 PO Box 987
 Ketchum, ID 83340

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: W. Michael Humphreys & Candace P. Humphreys
 Address: 10495 Stone Quarry Road
 Payette, ID 83661

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☐ **Point(s) of Diversion**

Should be:

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Place of Use**

Should be: 80 acres in a permissible place of use equal to the 220 acres in Notice of Claim A71-04018. The combined place of use restriction should be deleted.

10. **I object because:**

☐ This water should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Water has been beneficially used pursuant to the license on the place of use claimed in the Notice of Claim.

F.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

James P. Speck, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

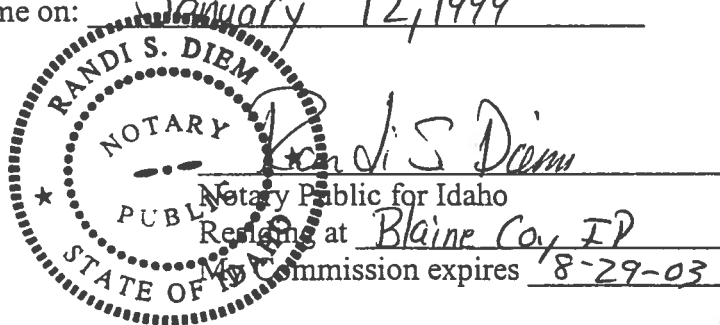
(Signature of person filing objection)

JP Speck

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 12, 1999



INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 12, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

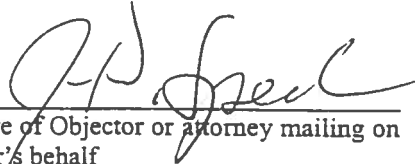
Name: W. Michael Humphreys & Candace P. Humphreys
Address: 10495 Stone Quarry Road
Payette, ID 83661

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney mailing on
Objector's behalf

Hello Doug:

Here's a list of the objected to water rights in basin 71. Dave and Peter will be picking up the original claims for filing with the court Tuesday morning. Southern also should have received copies of the basin 71 objections for the claim file--do you know if you did??

71-00026A	71-00026B	71-00028	71-00029	71-00033B
71-00034C	71-00035C	71-00036B	71-02047A	71-02047B
71-02054	71-02085B	71-04006	71-04018	71-04021
71-10057	71-10080	71-10081	71-10117	71-10139
71-10197	71-10631	71-10763	71-10764	

I'm trying to double check the overlaps (unobjected to) involved--we'll need those original claims also for Tuesday. They are:

71-00027B 71-10059

THANKS FOR YOUR HELP!! Any questions, call me at 327-5458.

FAX MEMORANDUM

TO: DOUG JONES - SOUTHERN AJ SUPERVISOR
FROM: VICKI KELLY - PARALEGAL
DATE: 2/10/99

72 Abbott Road
Wellesley, MA 02181
August 13, 1998

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

VIA Federal Express
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83705

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

Dear Sirs;

I have enclosed Notice of Error Reply Forms for the following Snake River Basin
Adjudication water right claims, in the name of W. Michael & Candace P. Humphreys,
and W. Michael & Candace P. Humphreys, as Trustees of The Humphreys Trust:

71-10080
71-10081
71-04006
71-02047A
71-04021
71-02047B
71-02054
71-04018

Sincerely,



W. Michael Humphreys

RECEIVED JUL 27 1998

July 22, 1998

NOTICE OF ERROR
REPLY

RECEIVED

AUG 14 1998

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.
YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: August 14, 1998

Water right number: 71-02047B

~~JOHN RSHOLT~~
~~RSHOLT ROBERTSON & TUCKER~~
~~PO BOX 1906~~
~~TWIN FALLS ID 83303-1906~~

W. MICHAEL & C. Petre HUMPHREYS
72 ABBOTT ROAD
Wellesley MA 02181

Daytime Telephone Number: 781-890-2244

Evening Telephone Number: 781-431-1229

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

OF Acres

2. Describe the changes you wish to make in the proposed recommendation:

OF Acres should be 165 as claimed

3. Give a brief explanation as to why you disagree with these portions:

8-12-98 W. Michael Humphrey

☐ I AGREE with this proposed recommendation; no changes need to be made.

DATE: _____ SIGNATURE: _____
Please print your name: _____

AJ0743NP
(00-124)

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

06/09/98 09:55:21
Page 1

Water Right Number - R71-020478

Prefix Translation: RESEARCH

Old (D) Number - 16201

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** A - ATTORNEY ***
ROSHOLT

JOHN

1 - ROSHOLT ROBERTSON & TUCKER
2 - PO BOX 1906
3 -
City- TWIN FALLS
Phone - 208-734-0777
State- ID Zip- 833031906

*** C - CURRENT OWNER ***
VON HAGEN FAMILY TRUST

1 - C/O LLOYD CORPORATION
2 - 12400 WILSHIRE BLVD #1180
3 -
City- LOS ANGELES
Phone - 208-000-0000
State- CA Zip- 90025

*** O - ORIGINAL OWNER ***
4TH OF JULY CREEK RANCH INC

1 - 24701 DANA DRIVE
2 -
3 -
City- DANA POINT
Phone - 714-240-3871
State- CA Zip- 92629

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/25/1925 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
CHAMPION CREEK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08N 14E 13 NE SW SW (37) CUSTER
23 NW NW NW (37) CUSTER

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

01 - IRRIGATION 05/01 09/30 2.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.800 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
08N	14E	15	SW NW		11.0	01	IRRIGATION	(37) CUSTER	
08N	14E	15	SE NW		0.6	01	IRRIGATION	(37) CUSTER	
08N	14E	15	NE SW		37.0	01	IRRIGATION	(37) CUSTER	
08N	14E	15	NW SW		40.0	01	IRRIGATION	(37) CUSTER	
08N	14E	15	SW SW		14.0	01	IRRIGATION	(37) CUSTER	
08N	14E	15	SE SW		23.0	01	IRRIGATION	(37) CUSTER	
08N	14E	15	NW SE		11.0	01	IRRIGATION	(37) CUSTER	
08N	14E	15	SW SE		23.0	01	IRRIGATION	(37) CUSTER	

Total Acres: 159.6

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 71-02054, & 71-04018

----- Remarks -----

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 159.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 71-020478, 71-02054, AND 71-04018.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 71-02047B, 71-02054, AND 71-04018.

Old Water Right Numbers

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
 PURSUANT TO SECTION 42-1425, IDAHO CODE.
 C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
 SECTION 42-1425, IDAHO CODE.

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

Date: 06/09/1998 User Id: KCHRISTE Subject: COPIED FROM REMARKS

DATE: 06/07/1970 USER: JG. ADMINISTRATIVE SUBJECT: 06/07/1970 FROM: MEMPHIS
 DMR NOTE
 GIVEN.
 DATABASE SHOWS: "P/U INCOMPLETE. AC. IRR.=140."

 ITEM #12 P/U OWNERSHIP MARKED YES & NO BOTH. NO EXPLANATION
 MICROFILM OF LICENSE SHOWS: "ALSO, NATURAL MEADOW 60."
 CLAIM REPRESENTS ENTIRE RIGHT AS ORIGINALLY LICENSED.
 OWNERSHIP CHANGE 3/19/92 BY JG.

06/09/98 KCHRISTE

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

Field Inspection Made	-	08/17/1995
Field Inspection Flag	-	00/00/0000
Verified Date	-	00/00/0000
Last Amended Date	-	S011132
Receipt Number	-	Y
POU Ownership Flag	-	OR

Civil Case Number	-	39516
Old Case Number	-	
Old Judicial District	-	
Temporary Right	-	P
Water District	-	
Federal/State Indicator	-	S
Presumption Flag	-	C
Notice of Error Flag	-	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:50:51
06/04/98

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A71-02047B

LAST: 4TH OF JULY CREEK RANCH INC FIRST:
ADDRESS: 24701 DANA DRIVE
CITY: DANA POINT STATE: CA ZIP: 92629
PHONE NUMBER: 714-240-3871

OWNER CODE: O

LAST: ROSHOLT FIRST: JOHN
ADDRESS: ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
CITY: TWIN FALLS STATE: ID ZIP: 833031906
PHONE NUMBER: 208-734-0777

OWNER CODE: A

LAST: VON HAGEN FAMILY TRUST FIRST:
ADDRESS: C/O LLOYD CORPORATION
12400 WILSHIRE BLVD #1180
CITY: LOS ANGELES STATE: CA ZIP: 90025
PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIELD EXAM REQUIRED?	DATABASE	FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS?	Y	Y() N()

CLAIM REMARKS: GEN ***DWR NOTE***
ITEM #12 P/U OWNERSHIP MARKED YES & NO BOTH. NO EXPLANATION
GIVEN.
MICROFILM OF LICENSE SHOWS: "ALSO, NATURAL MEADOW 60."
DATABASE SHOWS: "P/U INCOMPLETE. AC. IRR.=140."
CLAIM REPRESENTS ENTIRE RIGHT AS ORIGINALLY LICENSED.

OWNERSHIP CHANGE 3/19/92 BY JG.

CONTACT PERSON: Ray Seal

PHONE NUMBER: () -

DATE OF FIELD EXAM: 8/17/95

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: No one in field

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A71-02047B PRIORITY DATE: 03-25-1925 STAGE: L

B. WR RECORD: # 71-02047 PRIORITY DATE: 03-25-1925 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☐) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☐) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: The claimed date matches the licensed date and
the found P/U matches the claimed P/U & licensed

Therefore I accept the date as claimed

RECOMMENDED PRIORITY DATE:

03-25-1925

REVIEWED BY KKC

DATE 6-9-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A71-02047B	08N 14E	23	NE	NE				CUSTER		
OTHER AJ CLAIMS WITH SAME AJ POD										
A PREFIX R PREFIX										
A71-02054 R71-02054 71-02054										
A71-04018 R71-04018 71-04018										
A71-10277										
A71-10278										

WR RECORDS IN SAME 40 ACRE TRACT

Found 2P/Ds

SOURCE: CHAMPION CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
71-02047	08N 14E	23	NE	NE				CUSTER		
OTHER WR RECORDS WITH SAME WR POD										
AJ CLAIMS IN SAME 40 ACRE TRACT										
A PREFIX R PREFIX										
71-02054 A71-02054 R71-02054										
71-04018 A71-04018 R71-04018										
A71-10277										
A71-10278										

SOURCE: CHAMPION CREEK

TRIB: SALMON RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N(☒)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N(☒)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(☒) N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(☒) N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

AJ FIELD EXAM

(DATE OF FIELD EXAM 8-17-95 NAME OF EXAMINER KKC)

Y(☒) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

See Attached narrative

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY CLUSTER	DIVERSION NAME	DIVERSION NBR
~~08N~~	~~14E~~	~~23~~	~~NE~~	~~NE~~	~~NE~~					
08N	14E	23	NW	NW	NW					
08N	14E	13	NE	SW	SW					

SOURCE: CHAMPION CREEK

TRIB: SALMON RIVER

REVIEWED BY:

KKC

DATE:

6-8-98

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT (☒)



June 8, 1998

**ANALYSIS OF 71-02047B, 71-02054, AND 71-04018
VON HAGEN FAMILY TRUST CLAIMS**

The points of diversion were confirmed by Allen Merritt. He located the point of diversion in sec 13 NESWSW and found that the source is more a slew area rather than Champion Creek itself, however, as this area all contributes to Champion Creek I am recommending the source as Champion Creek only. Allen measured this system in July of 1993 and found 4.34 cfs being diverted. The delivery system was not at capacity. The GIS system did not include that location within the photo boundary rectified and therefore the location was determined using ortho photo V-70 and was approximated onto the GIS system.

The second point of diversion was found in sec 23 NWNWNW and was from Champion Creek. Allen measured the diversion rate at 0.70 cfs. This system was not at capacity either.

As only one point of diversion was described in the original licenses, the second point of diversion is added and recognized as an accomplished transfer for both licensed rights.

The claimed rate is approximately 68% greater than measured and the hubble analysis is approximately 28% greater than claimed. As the system was not at capacity, I am recommending these rights as claimed even though that rate was not found being diverted at the exam date. Flows earlier in the year are normally higher.

PLACE OF USE

The place of use is gravity irrigated with multiple contour ditches crossing the place of use. A main ditch runs along the north and south borders of the property. All three rights are for the same place of use and use the same diversion system. I am recommending the rights within a permissible place of use.

A. ROOT WATER RIGHT NUMBERS: A71-02047B
A71-02047A

R71-02047A

R71-02047B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	14E	15	SW	NW		VON HAGEN FAMILY TRUST	A71-02047B / 10.0	- /	4.0		
			SW	NW		VON HAGEN FAMILY TRUST	A71-02054 / 15.0	71-02054 / 15.0			
			SW	NW		VON HAGEN FAMILY TRUST	A71-04018 / 20.0	71-04018 / 20.0			
			SW	NW		ROSHOLT, JOHN	R71-02047B / 10.0	- /			
			SW	NW		ROSHOLT, JOHN	R71-02054 / 15.0	- /			
			SW	NW		ROSHOLT, JOHN	R71-04018 / 20.0	- /			
			SW	NW		YOUNG, GEORGE L.		71-02047 / 10.0			
08N	14E	15	SE	NW		VON HAGEN FAMILY TRUST	A71-02047B / 10.0	- /	1.0		
			SE	NW		VON HAGEN FAMILY TRUST	A71-02054 / 5.0	71-02054 / 5.0			
			SE	NW		VON HAGEN FAMILY TRUST	A71-04018 / 20.0	71-04018 / 20.0			
			SE	NW		ROSHOLT, JOHN	R71-02047B / 10.0	- /			
			SE	NW		ROSHOLT, JOHN	R71-02054 / 5.0	- /			
			SE	NW		ROSHOLT, JOHN	R71-04018 / 20.0	- /			
			SE	NW		YOUNG, GEORGE L.		71-02047 / 10.0			
08N	14E	15	NE	SW		VON HAGEN FAMILY TRUST	A71-02047B / 20.0	- /	36.0		
			NE	SW		VON HAGEN FAMILY TRUST	A71-02054 / 35.0	71-02054 / 35.0			
			NE	SW		VON HAGEN FAMILY TRUST	A71-04018 / 40.0	71-04018 / 40.0			
			NE	SW		ROSHOLT, JOHN	R71-02047B / 20.0	- /			
			NE	SW		ROSHOLT, JOHN	R71-02054 / 35.0	- /			
			NE	SW		ROSHOLT, JOHN	R71-04018 / 40.0	- /			
			NE	SW		YOUNG, GEORGE L.		71-02047 / 20.0			
08N	14E	15	NW	SW		VON HAGEN FAMILY TRUST	A71-02047B / 10.0	- /	14.0		
			NW	SW		VON HAGEN FAMILY TRUST	A71-02054 / 40.0	71-02054 / 40.0			
			NW	SW		VON HAGEN FAMILY TRUST	A71-04018 / 40.0	71-04018 / 40.0			
			NW	SW		ROSHOLT, JOHN	R71-02047B / 10.0	- /			
			NW	SW		ROSHOLT, JOHN	R71-02054 / 40.0	- /			
			NW	SW		ROSHOLT, JOHN	R71-04018 / 40.0	- /			
			NW	SW		YOUNG, GEORGE L.		71-02047 / 10.0			
08N	14E	15	SE	SW		VON HAGEN FAMILY TRUST	A71-02047B / 10.0	- /	15.0		
			SE	SW		HUMPHREYS, W MICHAEL	A71-02047A / 10.0	- /			
			SE	SW		VON HAGEN FAMILY TRUST	A71-02054 / 25.0	71-02054 / 25.0			
			SE	SW		VON HAGEN FAMILY TRUST	A71-04018 / 25.0	71-04018 / 25.0			
			SE	SW		ROSHOLT, JOHN	R71-02047B / 10.0	- /			
			SE	SW		ROSHOLT, JOHN	R71-02054 / 25.0	- /			

*See Attached
GIS land list*

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	SW		ROSHOLT, JOHN	R71-04018 / 25.0	- /			
			SE	SW		YOUNG, GEORGE L.		71-02047 / 10.0			
08N	14E	15	NW	SE		VON HAGEN FAMILY TRUST	A71-02047B / 5.0	- /		13.0	
			NW	SE		VON HAGEN FAMILY TRUST	A71-02054 / 5.0	71-02054 / 5.0			
			NW	SE		VON HAGEN FAMILY TRUST	A71-04018 / 20.0	71-04018 / 20.0			
			NW	SE		VON HAGEN FAMILY TRUST	A71-10162 /	- /			
			NW	SE		ROSHOLT, JOHN	R71-02047B / 5.0	- /			
			NW	SE		ROSHOLT, JOHN	R71-02054 / 5.0	- /			
			NW	SE		ROSHOLT, JOHN	R71-04018 / 20.0	- /			
			NW	SE		VON HAGEN FAMILY TRUST	71-10162 /	- /			
			NW	SE		YOUNG, GEORGE L.		71-02047 / 5.0			
08N	14E	15	SW	SE		VON HAGEN FAMILY TRUST	A71-02047B / 15.0	- /		27.0	
			SW	SE		VON HAGEN FAMILY TRUST	A71-02054 / 25.0	71-02054 / 25.0			
			SW	SE		VON HAGEN FAMILY TRUST	A71-04018 / 25.0	71-04018 / 25.0			
			SW	SE		ROSHOLT, JOHN	R71-02047B / 15.0	- /			
			SW	SE		ROSHOLT, JOHN	R71-02054 / 25.0	- /			
			SW	SE		ROSHOLT, JOHN	R71-04018 / 25.0	- /			
			SW	SE		YOUNG, GEORGE L.		71-02047 / 15.0			

ADDITIONAL POU FOUND

TOTAL ACRES

A71-02047B

80.00

~~110.00~~

POU COUNTY: CUSTER

159.6
PP/U
this right is limited to
BOA.
within the PP/U.

CLAIM NUMBERS 71-02047B
02054
04018

DATE 6-8-98
AGENT KKC

TRANSFER NUMBER _____
HOMESTEAD ENTRY NO. _____
CLAIMED ACRE TOTAL 446.220
GEOGRAPHIC INFO ACRES 159.6

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02047B	8N	14E	15							10	10	20	10		10		5	15		80
02054	8N	14E	15							15	5	35	40	15	25		5	25		165
04018	8N	14E	15							20	20	40	40	30	25		20	25		220
CLAIM																				
GIS	8N	14E	15							11.3	.6	37	39.5	14	23.3		10.7	22.9		
RECOM			15							11	.6	37	40	14	23		11	23		159.6
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

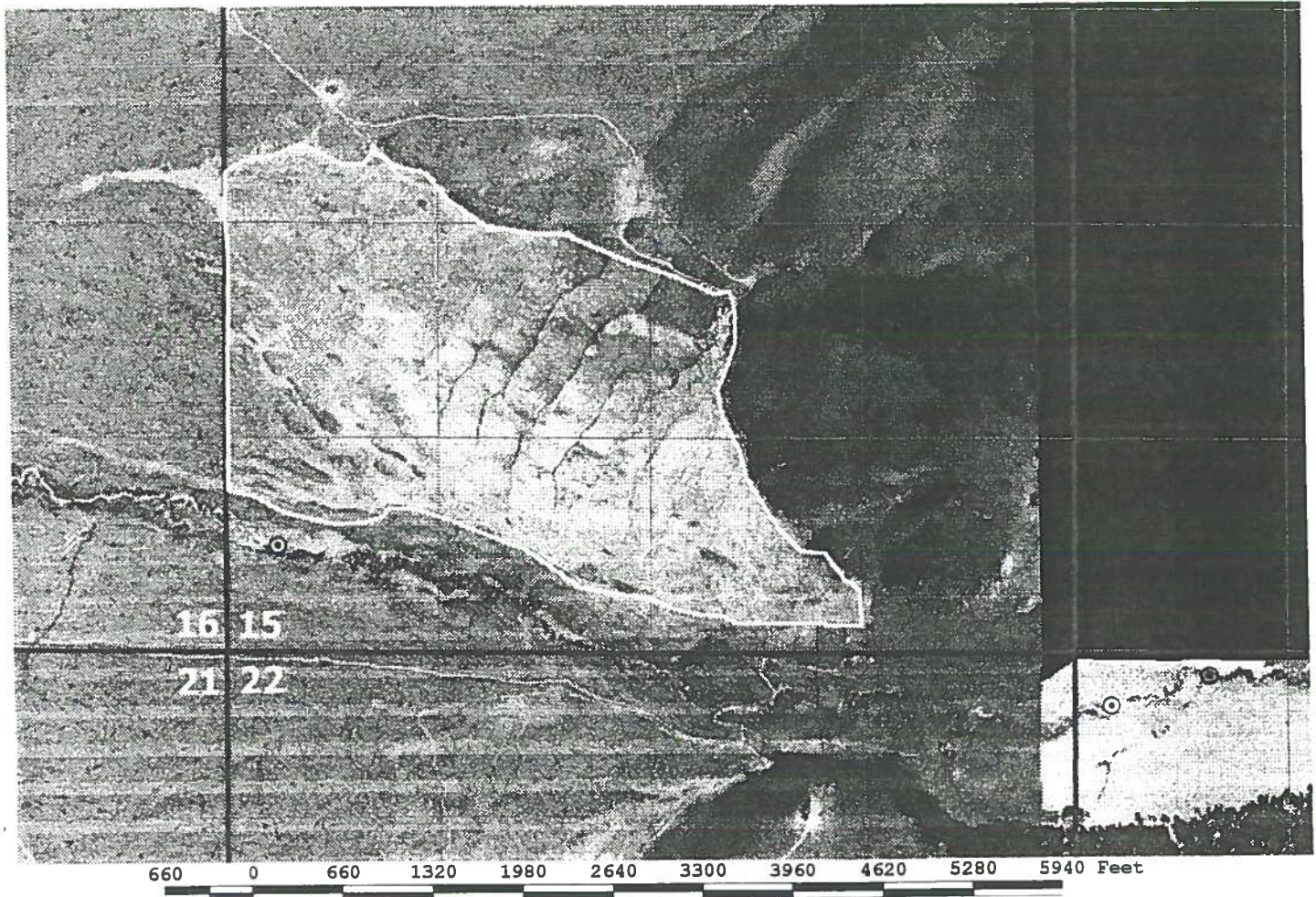
B71-DBPOD.SHP
NOS DESCRIPTION
20 Sec 13
NE SW SW
49 Sec 23
NWNWNW

B71-DBPOU.SHP
SHAPE NOS
229

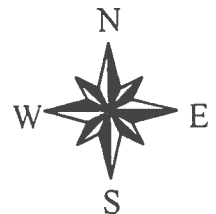
DBF TABLES UPDATED
B71-DBPOD.DBF ☒
B71-DBPOU.DBF ☒

IDAHO DEPARTMENT OF WATER RESOURCES

71-02047B, 71-02054, & 71-04018
SOURCE = CHANPION CREEK
VON HAGEN FAMILY TRUST



RECOMMENDED PLACE OF USE
DATA ENTRY ON JUNE 8, 1998
TWP 8N, RNG 14E,
SEC 15



RECOMMENDED PLACE OF USE

○ RECOMMENDED POINT OF DIVERSION

□ SECTION LINES

QUARTER QUARTER LINES

STREAM AND DITCH CHANNELS

COPY

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET (X)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A71-02047B	CHAMPION CREEK	VON HAGEN FAMILY TRUST	2.800	0.035		
A71-02047A	CHAMPION CREEK	HUMPHREYS, W MICHAEL	0.200	0.020		
R71-02047B	CHAMPION CREEK	ROSHOLT, JOHN	2.800	0.035		
A71-02054	CHAMPION CREEK	VON HAGEN FAMILY TRUST	3.300	0.020		
R71-02054	CHAMPION CREEK	ROSHOLT, JOHN	3.300	0.020		
R71-04018	CHAMPION CREEK	ROSHOLT, JOHN	2.400	0.010		
A71-04018	CHAMPION CREEK	VON HAGEN FAMILY TRUST	2.400	0.010		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A71-10162	DOMESTIC	VON HAGEN FAMILY TRUST	FROM 01-01 TO 12-31	0.040 CFS	
71-10162	DOMESTIC	VON HAGEN FAMILY TRUST	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(X) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A71-02054, 04018

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(X) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(X) N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(X)

Recommending a PPG
therefor CFS required

NOTES: _____

DATE: 6-9-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A71-02047B IRRIGATION	FROM ^{5.1} ~~04-15~~ TO ^{9.30} ~~10-15~~	2.800 CFS	
TOTAL DIVERSION RATE/VOLUME		2.800 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
71-02047 IRRIGATION	FROM TO	2.800 CFS	
71-02047 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		2.800 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(~~X~~) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(~~X~~) N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(~~X~~) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N(~~X~~)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(~~X~~) N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(~~X~~) N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y(~~X~~) N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

*no season
of use given on
license. Rec'd
to current
dept 5 standard*

NOTES: see analysis Attached

7/1/42

NAME OF STREAM OR DITCH CHAMPION CREEK
 LOCATION DIV ON FS LA
 PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
 BASIS OF VELOCITY CALCULATIONS
 IF YOU ARE USING A PYGMY METER ENTER 1
 IF YOU ARE USING A AA METER ENTER 2
 ENTRY ---- = 1

WATER RIGHT NUMBER IF APPLICABLE -----
 AGENT CONDUCTING MEASUREMENT -----
 ACCOMPANIED BY -----
 PREMEASUREMENT SPIN TEST (MIN/SEC) ---
 POST MEASUREMENT SPIN TEST (MIN/SEC) -
 RAY LAVERTY
 ADM
 GLADYS LAVERTY

FOLLOWING THE LAST ENTRY IN: "END"
 "DISTANCE FROM INIT PT" ENTRY MUST =

INITIAL POINT	ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	1ST MEASUREMENT REVS	VELOCITY DATA		CALC WIDTH	AREA IN SQ FT	CALCULATED VELOCITY			DISCHARGE IN CFS
						1ST MEASUREMENT TIME/SEC	2ND MEASUREMENT TIME/SEC			1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY	
		1.00											
		1.30	0.25		1	50.0		0.15	0.019	0.02		0.01	0.00
		1.70	0.35		15	32.7		0.35	0.088	0.46		0.46	0.06
		2.10	0.42		30	22.8		0.40	0.140	1.32		1.32	0.22
		2.50	0.45		30	22.3		0.40	0.168	1.35		1.35	0.24
		2.90	0.42		20	29.3		0.35	0.180	0.68		0.68	0.10
		3.20	0.40		20	22.0		0.20	0.147	0.91		0.91	0.07
		3.30	0.40		1	50.0		0.15	0.080	0.02		0.02	0.00
		3.50		0.20				0.10	0.060			0.01	0.00
END													0.70



7/11

NAME OF STREAM OR DITCH CHAMPION CREEK
LOCATION HIGHEST DIV (NORTH BEA
PURPOSE OF MEASUREMENT .. ADJUDICATION REVIEW
BASIS OF VELOCITY CALCULATIONS 1
IF YOU ARE USING A PYGMY METER ENTER 2
IF YOU ARE USING A AA METER ENTER 1
ENTRY =

WATER RIGHT NUMBER IF APPLICABLE
AGENT CONDUCTING MEASUREMENT
ACCOMPANIED BY
PREMEASUREMENT SPIN TEST (MIN/SEC) ...
POST MEASUREMENT SPIN TEST (MIN/SEC) -

RAY LAVERTY
ADM
GLADYS LAVERTY

FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

INITIAL POINT

ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	1ST MEASUREMENT REVS	VELOCITY TIME/SEC	2ND MEASUREMENT TIME/SEC	CALC WIDTH	AREA IN SQ FT	1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY	DISCHARGE IN CFS
2.00	2.00	0.54	0.27	15	16.0		0.10	0.027	0.94		0.47	0.01
2.20	2.20	0.60		20	11.3		0.30	0.162	0.94		0.94	0.15
2.60	2.60	0.65		30	19.0		0.40	0.260	1.77		1.77	0.42
3.00	3.00	0.65		30	17.1		0.40	0.260	1.58		1.58	0.41
3.40	3.40	0.75		30	18.2		0.40	0.300	1.75		1.75	0.46
3.80	3.80	0.75		30	17.6		0.40	0.300	1.65		1.65	0.49
4.20	4.20	0.75		30	15.0		0.40	0.300	1.70		1.70	0.51
4.60	4.60	0.75		30	15.0		0.40	0.300	2.00		2.00	0.60
5.00	5.00	0.75		30	22.2		0.40	0.300	1.35		1.35	0.41
5.40	5.40	0.70		30	15.0		0.40	0.280	2.00		2.00	0.56
5.80	5.80	0.57		30	21.1		0.35	0.199	1.42		1.42	0.28
6.10	6.10		0.29	30			0.15	0.043			0.71	0.03
END												

4.34

57 Fk. July
RANC 14



NAME OF STREAM OR DITCH	CHAMPION CREEK
LOCATION -----	HIGHEST DIV S
PURPOSE OF MEASUREMENT --	ADJUDICATION REVIEW
BASIS OF VELOCITY CALCULATIONS	
IF YOU ARE USING A PYGMY METER ENTER -----	1
IF YOU ARE USING A AA METER ENTER -----	2

WATER RIGHT NUMBER IF APPLICABLE -----	RAY LAVERTY
AGENT CONDUCTING MEASUREMENT -----	ADM
ACCOMPANIED BY -----	GLADYS LAVERTY
PREMEASUREMENT SPIN TEST (MIN/SEC) ---	
POST MEASUREMENT SPIN TEST (MIN/SEC) -	

**FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"**

[illegible]

AJ CLAIM TOTAL DIVERSION RATE: 2.800 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.800 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y(☒) N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD measured by Allen Merrill (see Attachment), SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

1b. CALCULATIONS

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 280.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

*See Revised
Hubble Analysis*

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

A71-02047B A71-04018
A71-02054

DATE: 6-9, 1998

REVIEWED BY KKC

STANLEY BASIN SOIL REVIEW								
SOIL TYPE	OPTIMUM ROTATION	BORDER EFF	BORDER CFS/AC	FURROW EFF	FURROW CFS/AC	MAD	PF	BORDER / FURROW
AM1	4.00	3.5	0.30	22.3	0.05	1.00	1.14	6.09
BG1	5.00	5.8	0.19	34.3	0.03	1.32	1.13	5.99
CNB	7.00	7.8	0.14	47.3	0.02	1.82	1.11	6.20
GO1	14.66	25.5	0.04	24.6	0.04	3.65	1.07	0.96
LA4	4.00	3.7	0.30	23.6	0.05	1.06	1.14	6.46
PY1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RD1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RP1	4.33	6.9	0.16	35.2	0.03	1.13	1.13	5.18
SN1	2.66	2.47	0.45	15.4	0.07	0.69	1.14	6.30
ST1	3.33	3.2	0.36	20.3	0.05	0.91	1.14	6.65
TN1	4.66	4.2	0.26	26.9	0.04	1.21	1.13	6.44
TP4	9.33	9.5	0.11	60.0	0.02	2.31	1.10	6.24
WG1	2.66	2.4	0.45	14.9	0.07	0.67	1.14	6.12
WV1	13.00	17.4	0.06	50.3	0.02	3.24	1.08	2.91

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

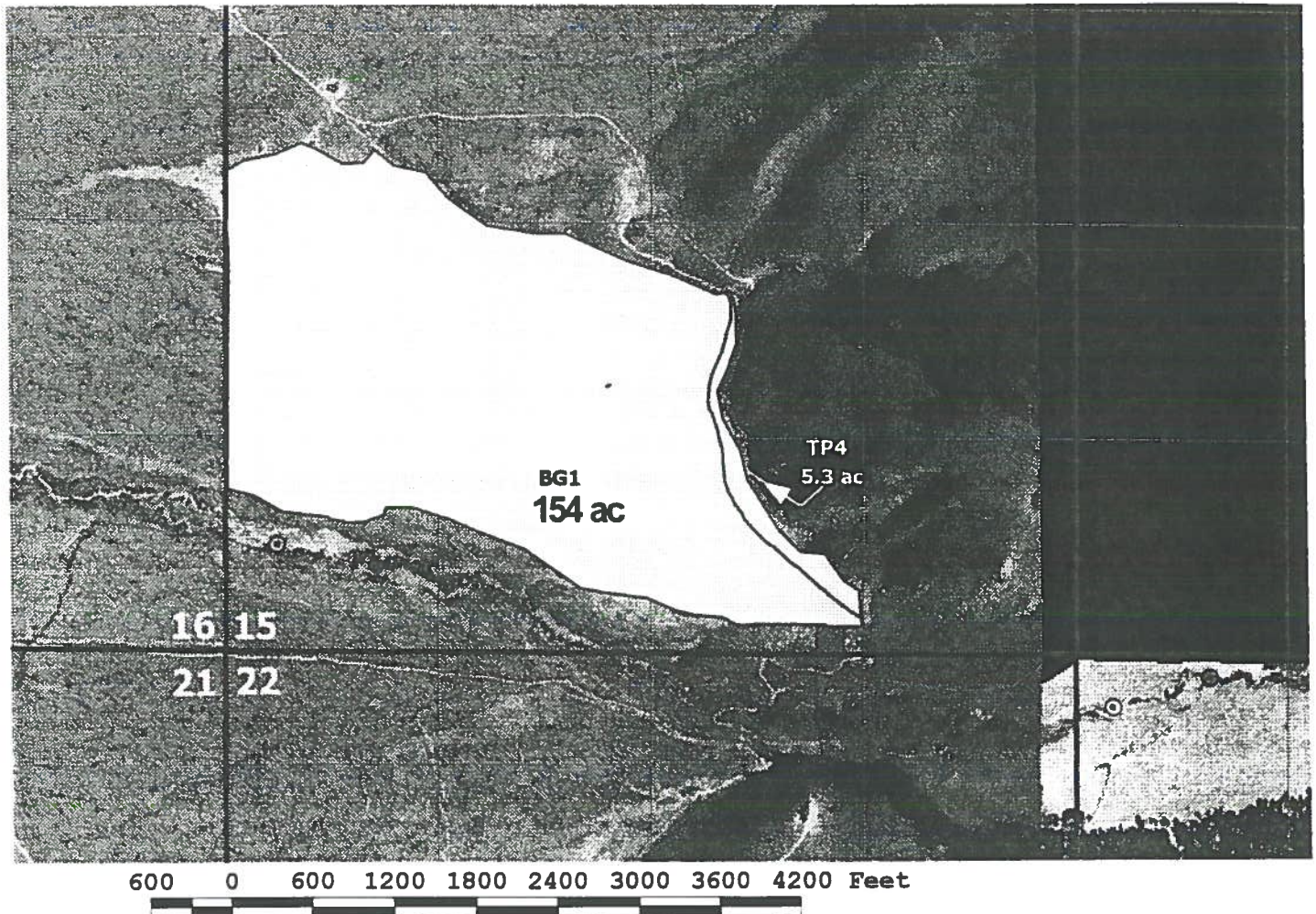
SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
BG1	5.0	14	* 154	* .19	= 10.45 CFS
TP4	9.33	14	* 5.3	* .11	= 1.39 CFS
			*	*	= CFS
			*	*	= CFS

TOTAL ACRES

~~DECREED~~ ^{Claimed} RATE = 2047B - 2.80
 CLAIMED DIVERSION RATE = 2054 3.30
 ORIGINAL HUBBLE RATE = 4018 2.40
 MEASURED DIVERSION RATE = total 8.50 CFS

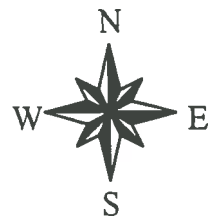
IDAHO DEPARTMENT OF WATER RESOURCES

71-02047B, 71-02054, & 71-04018
SOURCE = CHANPION CREEK
VON HAGEN FAMILY TRUST



PLACE OF USE SOILS ANALYSIS
USING SCS SOILS OVERLAY
DATA ENTRY ON JUNE 8, 1998

CLAIM	SOIL TYPE	ACRES
	BG1	154.0
	TP4	5.3



COPY

RECOMMENDED PLACE OF USE

- SOILS BOUNDARY
- SECTION LINES
- QUARTER QUARTER LINES
- HOMESTEAD ENTRY BOUNDARY

GIS PLACE OF USE PRESENTATION
1992 USFS PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	5 1 04-15	9 30 10-15	DATABASE 2.800	EXAMINER ✓	DATABASE	EXAMINER	DATABASE 280.0	EXAMINER
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT				_____		_____		_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: KKC

DATE: 6-9-98

FLAG: Q

STANDARD CONDITIONS (CODE):

CØ3
CØ5

STANDARD REMARKS (CODE):

EXP FØ6 71-02047B, 02054 ; 04018
POU1 E14 80A KØ6
PPU = 159.6

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-02047

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	2.800	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A71-02047	A71-02047A	0.200	R71-02047B	2.800	71-02047	2.800
-	A71-02047B	2.800	-		-	
TOTAL CFS		3.000		2.800		2.800

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUT AUTHENTICATION: DATE: 6-9-98

SIG SIGNATURE: Kelly K. Christensen

EXAMINER: KELLY K CHRISTENSEN

NAI SR WATER RESOURCE AGENT

DATE: _____

TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

=====

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:50:51
06/04/98

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A71-02047B

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

in practice

Ray Seal

2 weeks across

8 hr sets or less

CC

Field 8-11 KC
15-95
16-95

1. 100 ft
1. 100 ft
1. 100 ft

151 14
22 23

1912