

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, TRUSTEEW. MICHAEL HUMPHREYS, TRUSTEETHE HUMPHREYS FAMILY TRUST72 ABBOTT RD.WELLESLEY HILLS, MA 02181☐ New Mailing Address:C PETRE HUMPHREYS, TRUSTEEW. MICHAEL HUMPHREYS, TRUSTEETHE HUMPHREYS FAMILY TRUST480 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 RegionClaim Number (s): 71-02054, 71-02047B, 71-04018Previous Mailing Address: C PETRE HUMPHREYS, TRUSTEEW. MICHAEL HUMPHREYS, TRUSTEETHE HUMPHREYS FAMILY TRUST72 ABBOTT RD.WELLESLEY HILLS, MA 02181New Mailing Address: C PETRE HUMPHREYS, TRUSTEEW. MICHAEL HUMPHREYS, TRUSTEETHE HUMPHREYS FAMILY TRUST480 RANDOLPH AVE.MILTON, MA 02186Telephone 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 208/327-5400Adjudication Bureau  
Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082  
Ph. 208/334-2190  
FAX 208/334-2348Adjudication Bureau  
Idaho Dept. of Water Resources  
1341 Fillmore St., Ste. 200  
Twin Falls, ID 83301-3380 or  
FAX 208/736-3037Adjudication Bureau  
Idaho Dept. of Water Resources  
900 N. Skyline, Ste. A  
Idaho Falls, ID 83402-3653  
FAX 208/525-7177

SS

ADDRESS IM  
Revised 12/13/99

IDWR Use Only:

Data Entry: \_\_\_\_\_

Date: \_\_\_\_\_

**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**

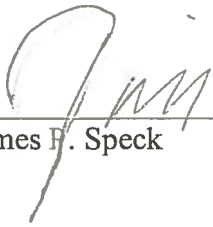
Dear Allen:

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: **A71-02054**  
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: JUL 28, 1930

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 | 3.300 |      |        |

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

8. Total consumptive use is 330.0 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 | 15.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 08N      | 14E   | 15      | SE     | NW  |     | IRR           | 5.0   |
|          |       |         | NE     | SW  |     | IRR           | 35.0  |
|          |       |         | NW     | SW  |     | IRR           | 40.0  |
|          |       |         | SW     | SW  |     | IRR           | 15.0  |
|          |       |         | SE     | SW  |     | IRR           | 25.0  |
|          |       |         | NW     | SE  |     | IRR           | 5.0   |
|          |       |         | SW     | SE  |     | IRR           | 25.0  |
|          |       |         |        |     |     |               |       |
|          |       |         |        |     |     | Section Acres | 165.0 |
|          |       |         |        |     |     | Total Acres   | 165.0 |

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:  
A71-02047B, 04018

14. Remarks:

MAP OF ORIGINAL FILING SHOWS 40-ACRE TRACTS - LICENSED AMOUNTS  
ARE INDICATED FROM DATABASE REVIEW AND MICROFILM REVIEW OF  
LICENSE AS ISSUED.

\*\*\*\*\*

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: 17343

RECEIVED  
OCT 16 1998  
Department of Water Resources  
Snake River 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.

Water Right or Adjudication Claim No(s): A71-02047B; A71-02054; A71-04018; A71-10162

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.

Name and Address of Former Owner/Claimant VON HAGEN FAMILY TRUST c/o LLOYD CORPORATION  
12400 WILSHIRE BLVD, SUITE 1180; LOS ANGELES CA 90025

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 or Claimant(s) x W. Michael Humphreys  
x C. Petre Humphreys

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this 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.

## 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

# 2492 (5-01)

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

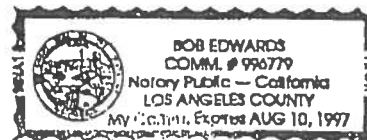
19 In my office, and duly recorded in Book  
of Deeds at Page

Ethel M. Pech  
Ex-Officio Recorder

By Barbara C. Brecklove Deputy.

Fees \$ 12  
Mail to:

FOR NOTARY SEAL OR STAMP



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.2.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<br>IN FEET | CURVE<br>L-R | CENTRAL<br>ANGLE | RADIUS IN<br>FEET | ARC<br>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:

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.

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

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

## 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:

| Source         | Priority  | CFS | Old Number      | SRBA Claim # |
|----------------|-----------|-----|-----------------|--------------|
| 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:

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

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/hor/hoir  
signature(s) on the instrument the person(s), or the entity upon behalf  
of which the person(s) acted, executed the instrument.

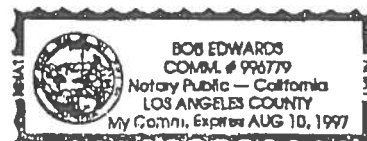
WITNESS my hand and official seal

Signature

Bob Edwards

F 2402 (5-01)

FOR NOTARY SEAL OR STAMP



known to me to be the person who name  
subscribed to the within instrument, and acknowledged to  
me that executed the same.

Meighan K. Berberich  
Notary Public  
Residing at San Miguel Colorado, Idaho  
Comm. Expires 6/1/2000

Edna M. Beck  
Ex-Officio Recorder

By Barbara C. Brecklow Deputy.

Fees \$ 12.00  
Mail to:

MEIGHAN K. BERBERICH  
NOTARY PUBLIC  
STATE OF COLORADO

EXHIBIT "A"

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CONTINUED:

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

X R.2.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<br>IN FEET | CURVE<br>L-R | CENTRAL<br>ANGLE | RADIUS IN<br>FEET | ARC<br>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 Northwestern 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.

PRINT KEY OUTPUT CUST# 05/19/97 10:27:54 PAGE 1

DISPLAY DEVICE . . . . . T2  
USER . . . . . VERLA

TAX MASTER INQUIRY

PNPKY: RP 06V14E150004 A YEAR 1995 FILL# 4790  
TXPKY: RP08V14E150004A  
NAME HUMPHREYS FAMILY TRUST CODE AREA 4700 ACCOUNT TYPE PUP  
BANK FLD OWNER  
% HUMPHREYS, MICHAEL  
S HUMPHREYS, C-DETR TRUSTEES MARKET VALUE 194,098

ADDRESS 10495 STONE QUARRY ROAD

PAYETTE ID 33551 HARDSHIP HOMEOWNER NET MARKET 194,098

LEGAL TRACT 75-12, 1375, 87-13 TAX AMOUNT 1,165.40  
VE4NE4, S2NE4 LESS: CIRCUIT 175.00  
N2SW4, N2SE4 PLUS: SPECIALS 1,340.40  
SEC 15 T2V 914E NET TAX BILLED 1,340.40  
TAX PAYMENTS 1,340.40  
TAX CANCELLED  
SPEC CANCELLED  
REMAINING TAX DUE

NEXT PARCEL# RP A OR NEXT BILL# RP 1995  
F3=EXIT F1=OTHER TAXES F5=PAYMENT ACTIVITY F9=TRANS ACTIVITY F2+=MORE

|                   |          |      |              |              |
|-------------------|----------|------|--------------|--------------|
| 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:

Y CLERK

P.2/2

T-75-12

~~MARY ELIZABETH KEMMERER~~  
Humphreys Family Trust  
Fr. NW $\frac{1}{4}$  Sec 15 T8 R14

137287

176957

201192

R14

211385-86

All of the NW $\frac{1}{4}$  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-87-12

111.60 Ac

T-87-13

parcel

08N14E150002

~~HAROLD & FLORA JENSEN~~

~~VAN HAGEN Trust~~

Humphreys Family Trust

193378

176957

201192

211385-86

~~Remainder of the NW $\frac{1}{4}$  Sec 15 T8N14E, BM, Custer County~~

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

The remainder of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  South of the Forest Road  
containing 31 acres M/L.

~~Fourth of July Ranch~~

T - 1375

~~Harold & Flora Jensen~~

~~Dale S. Reynolds~~

~~Harold & Flora Jensen~~

~~VAN HAGEN Trust~~

Humphreys Family Trust

118.80 ac.

211385-86

136811

176957

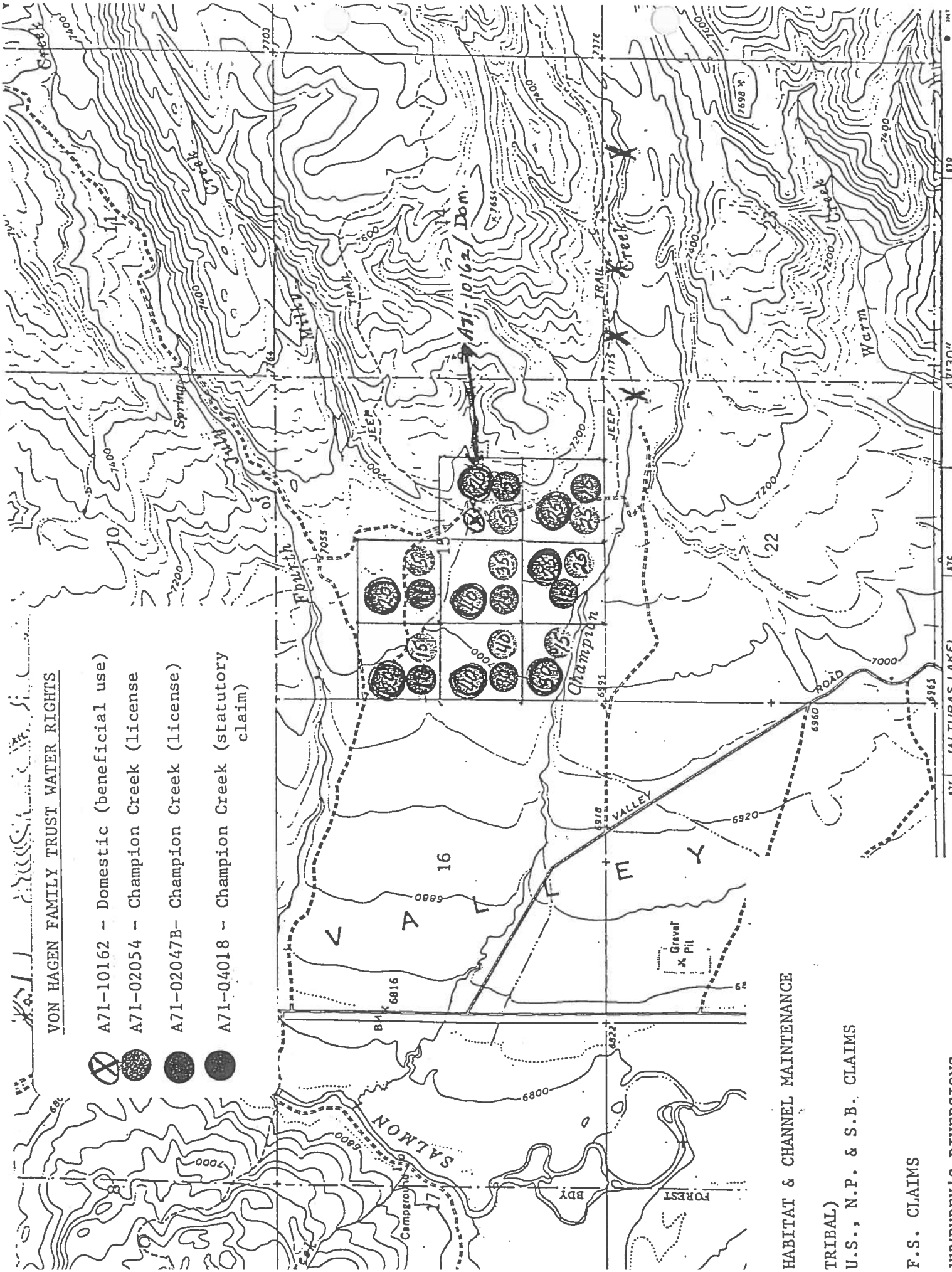
176957

193378

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 $\frac{1}{2}$ S $\frac{1}{2}$ ;  
thence  $\frac{1}{2}$  W. to the NW corner of S $\frac{1}{2}$ S $\frac{1}{2}$ ; 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)



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 Hagen Family Trust

T-503

615

122

NC.

C-132

NELSON

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: **A71-02054**  
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: JUL 28, 1930

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 | 3.300 |      |        |

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

8. Total consumptive use is 330.0 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 | 15.0  |
|          |       |         | SE     | NW  |     | IRR | 5.0   |
|          |       |         | NE     | SW  |     | IRR | 35.0  |
|          |       |         | NW     | SW  |     | IRR | 40.0  |

## 10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 08N      | 14E   | 15      | SW     | SW  |     | IRR           | 15.0  |
|          |       |         | SE     | SW  |     | IRR           | 25.0  |
|          |       |         | NW     | SE  |     | IRR           | 5.0   |
|          |       |         | SW     | SE  |     | IRR           | 25.0  |
|          |       |         |        |     |     |               |       |
|          |       |         |        |     |     | Section Acres | 165.0 |
|          |       |         |        |     |     |               |       |
|          |       |         |        |     |     | Total Acres   | 165.0 |

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:  
A71-02047B, 04018

14. Remarks:

MAP OF ORIGINAL FILING SHOWS 40-ACRE TRACTS - LICENSED AMOUNTS  
ARE INDICATED FROM DATABASE REVIEW AND MICROFILM REVIEW OF  
LICENSE AS ISSUED.

\*\*\*\*\*  
OWNERSHIP CHANGE 3/19/92 BY JG.

15. Basis of Claim: LICENSE

Water Right Number: 17343

16. Signature(s)

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

Number of attachments: 1

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
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 \_\_\_\_\_



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

MAR 18 1992  
Department of Water Resources  
Southern Region Office

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

DATE OF CLOSING: 2-27-92

PLEASE SEE ATTACHED WARRANTY DEED WITH PROPERTY DESCRIPTIONS

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 X 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: SC

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: 3/19/92 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

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 1600, 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 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:

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

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said promises, 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 promises; 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

By: Vaughan Mahnke, SecretaryOn this February 27, 1992, before me, a notary public in and for said State, personally appeared Ranney E. Draper and Vaughan 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. Piers  
 Notary Public  
 Residing at  
 Commission Expires:



Witness/Notarized

## 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 S. 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 1,325.32 FEET WESTERLY FROM THE SOUTHEAST CORNER OF SAID SECTION; THENCE NORTH 232.0 FEET; THENCE S. 58 DEGREES 36' E. FOR 272.0 FEET; THENCE N. 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 05' 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., D.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

MICROFILMED

EXTRA COPY

MAR 5 '92 12:12

MAR 17 1993 PAGE 003

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, 13 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. 05 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, 101ST 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 50' 21" EAST, 2,6747.31 FEET TO A STONE MARKING THE N1/4 CORNER OF SAID SECTION 15;

THENCE NORTH 09 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

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MAR 17 1993

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PAGE 004

MAR 5-92 THU 1

COM

18  
TIMENI-FOH-11111111  
CONTINUATION

P. 05

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 554.71 FEET THAT BEARS SOUTH 75 DEGREES 26' 00" WEST, ALONG THE NORTHERLY BOUNDARY OF SAID FOREST ROAD;

THENCE SOUTH 85 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 4 DEGREES 14' 30", A RADIUS OF 1,076.86 FEET, AND A LONG CHORD OF 302.41 FEET THAT BEARS NORTH 89 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

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MAR 17 1993

PAGE. 005

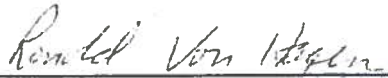
LIMITED POWER OF ATTORNEY

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.

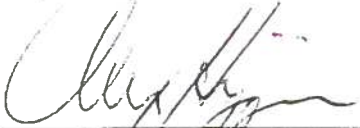
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 16th day of March, 1992.

  
\_\_\_\_\_  
RONALD VON HAGEN  
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.

  
\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at: Ketchikan, ID  
My commission expires: 2-15-93



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,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens  
Adjudication Secretary

/jg

Enclosures

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    |
| -                                              | ---     | -----       | -----                  | - | ---           | -            | -----             |
| -                                              | 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 |
| -                                              |         |             | ROSHOLT, JOHN          | A |               |              |                   |
| -                                              | SESW    | A71-02054 ✓ | 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 |               |              |                   |
| -                                              |         |             | 4TH OF JULY CREEK RANC | C |               |              |                   |
| -                                              | SESW    | A71-02047   | REDMOND, II, JACK W.   | O | 10            |              | 03/25/1925 01 IRR |
| -                                              |         |             | HAYS, RANDALL          | O |               |              |                   |
| -                                              |         |             | SPLIT RIGHT            | C |               |              |                   |
| -                                              | SESW    | A71-02047A  | 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 |               |              |                   |

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(GOLD7=This Query)

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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 |
| ---                     | ---   | ---   | ---        | ---                    | ---         | --- | ---           | ---        | ---  | ---  |
| ---                     | SEW   |       | 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           |     |               |            |      |      |
| ---                     | SEW   |       | A71-02047  | REDMOND, II, JACK W.   | O           | 10  |               | 03/25/1925 | 01   | IRR  |
| ---                     |       |       |            | HAYS, RANDALL          | O           |     |               |            |      |      |
| ---                     |       |       |            | SPLIT RIGHT            | C           |     |               |            |      |      |
| ---                     | SEW   |       | 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           |     |               |            |      |      |

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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 |
| ---                     | ---   | ---   | ---        | ---                    | ---         | --- | ---           | ---        | ---  | ---  |
| ---                     | 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           |     |               |            |      |      |

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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     |            | Last, First            | N           | T  | Priority | Use        |      |     |
| L                       | Tract | Right No.  |                        | AC          | G  | Date     | Code       | Desc |     |
| -                       | -     | -          | -                      | -           | -  | -        | -          | -    | -   |
| -                       | SWSE  | A71-02047B | 4TH OF JULY CREEK RANC | C           | 15 | L        | 03/25/1925 | 01   | IRR |
| -                       |       |            | ROSHOLT, JOHN          | A           |    |          |            |      |     |
| -                       | SWSE  | A71-02054  | 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           |    |          |            |      |     |

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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           |    |               |            |      |      |

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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: A71-02054  
Date Received: 1/12/1990  
Receipt No: S011132  
Received By: tu

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: JUL 28, 1930

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   | 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 | 3.300  |      |        |

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

8. Total consumptive use is 330.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 08N      | 14E   | 15      | SW     | NW     |     | IRR | 15.0  |
|          |       |         | SE     | NW     |     | IRR | 5.0   |
|          |       |         | NE     | SW     |     | IRR | 35.0  |
|          |       |         | NW     | SW     |     | IRR | 40.0  |

A71-02054

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      | SW  |    | SW  |     | IRR | 15.0  |
|               |       |         | SE  |    | SW  |     | IRR | 25.0  |
|               |       |         | NW  |    | SE  |     | IRR | 5.0   |
|               |       |         | SW  |    | SE  |     | IRR | 25.0  |
| Section Acres |       |         |     |    |     |     |     | 165.0 |
| Total Acres   |       |         |     |    |     |     |     | 165.0 |

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:  
A71-02047B, 04018

14. Remarks:  
MAP OF ORIGINAL FILING SHOWS 40-ACRE TRACTS - LICENSED AMOUNTS  
ARE INDICATED FROM DATABASE REVIEW AND MICROFILM REVIEW OF  
LICENSE AS ISSUED.

15. Basis of Claim: LICENSE  
Water Right Number: 17343

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 \_\_\_\_\_



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 ROSHOLT 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.

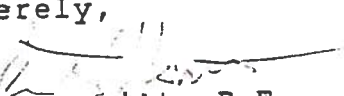
MICROFILMED

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:

MICROFILMED  
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

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

Boise Office  
1020 MAIN ST., SUITE 400  
P.O. BOX 2139  
BOISE, IDAHO 83701-2139  
TELEPHONE (208) 336-0700  
FAX (208) 344-6034

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

MICROFILMED

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

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

RECEIVED

JAN 12 1990

Department of Water Resources  
Southern Region Office

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

FEB 6 - 1990

Department of Water Resources  
Southern Region Office

CIVIL CASE NUMBER: 39576

Ident. Number

A71-02054

Date Received

Receipt Number

5011132

40~

RECEIVED

Please type or print clearly

1. Name of Claimant (s) 4th of July Creek Ranch, Inc. Phone (714) 240-3871

Mailing Address 24701 Dana Drive, Dana Point, CA Zip 92629

2. Date of Priority (Only one (1) per claim) 07-28-1930

3. Source of water supply (a) Champion Creek

which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 8N Range 14E Section 23,  
NE 1/4 of NE 1/4 of 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

COPY

RECORDED

MAR 17 1990

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 04-15 to 10-15 amount 3.300 or \_\_\_\_\_

For ~~Domestic~~ purposes from ~~01-01~~ to ~~01-31~~ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 3.300 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 330 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 house originally

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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  | 14E | 15  |        |       |       |       |        |       | 15    | 5     | 35     | 40    | 15    | 25    |        | 5     | 25    |       | 165    |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 165

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.  
71-02047 and 71-04018 or None ( )

14. Remarks:

Map from original filing shows 40-acre tracts - licensed amounts are indicated from database review and microfilm review of license as issued.

Last Name 4th of July Creek Ident No. \_\_\_\_\_

COPIES White State Yellow Claimant

7-2054

116  
Sgt. 11657- C

SW 1/4 NW 1/4 - 15.00  
SE 1/4 NW 1/4 - 5  
NE 1/4 SW 1/4 - 35  
NW 1/4 - 40  
SW 1/4 - 15  
SE 1/4 SW 1/4 - 25  
NW 1/4 SE 1/4 - 5  
SW 1/4 SE 1/4 25 - 140  
1165

71-02054

9

U.S.F.S.

4th. of July Creek

Champion

14

15

16

ditch

ditch

Creek

Point of Diversion

Diversion

23

22

21

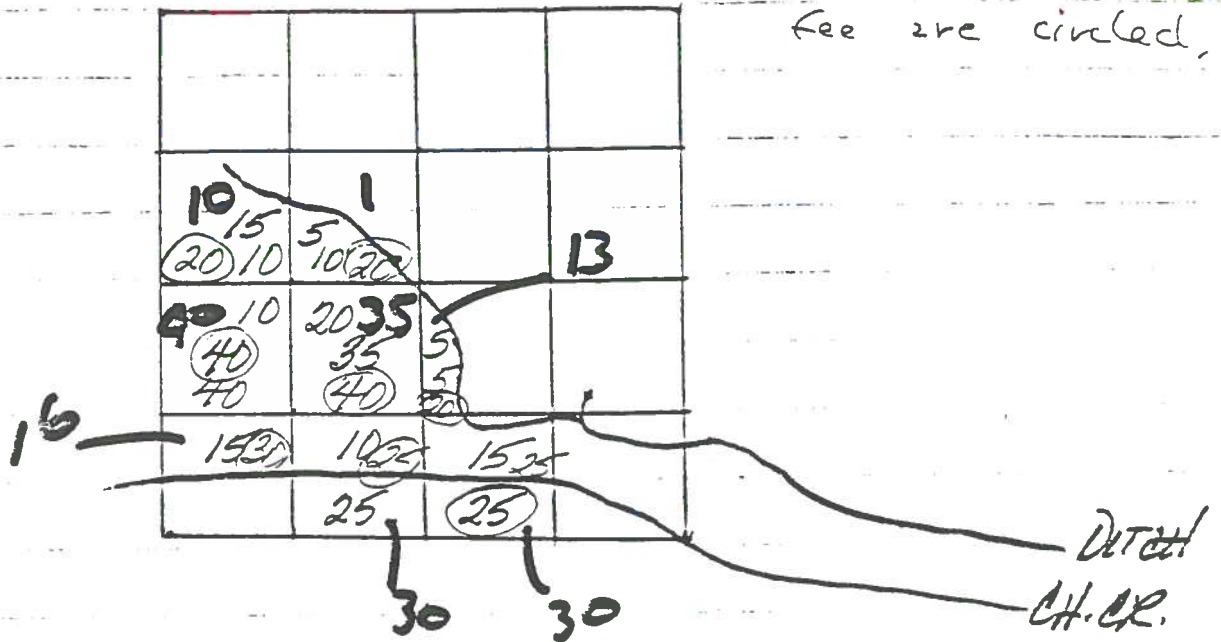
COPY

fee assessed 7/4/60

no late fee since response within  
30 days of letter

Acres counted for  
fee are circled,

615



27 02047 80 ACRES —  
02054 165 " —  
04018 220 " —

Appears to be  
irrigated.

220 Acres

175 Acres

3 claims @ \$50 each = 150

Total Fee = \$370<sup>00</sup>

Upon field review the acres should be adjusted.

Ad- 2/6/60

COPY

MAR 17 1958

1927

2

11

10

9

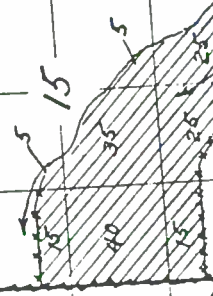
U.S.F.S.

Ath. of July Creek

16

Champion

Salmon River



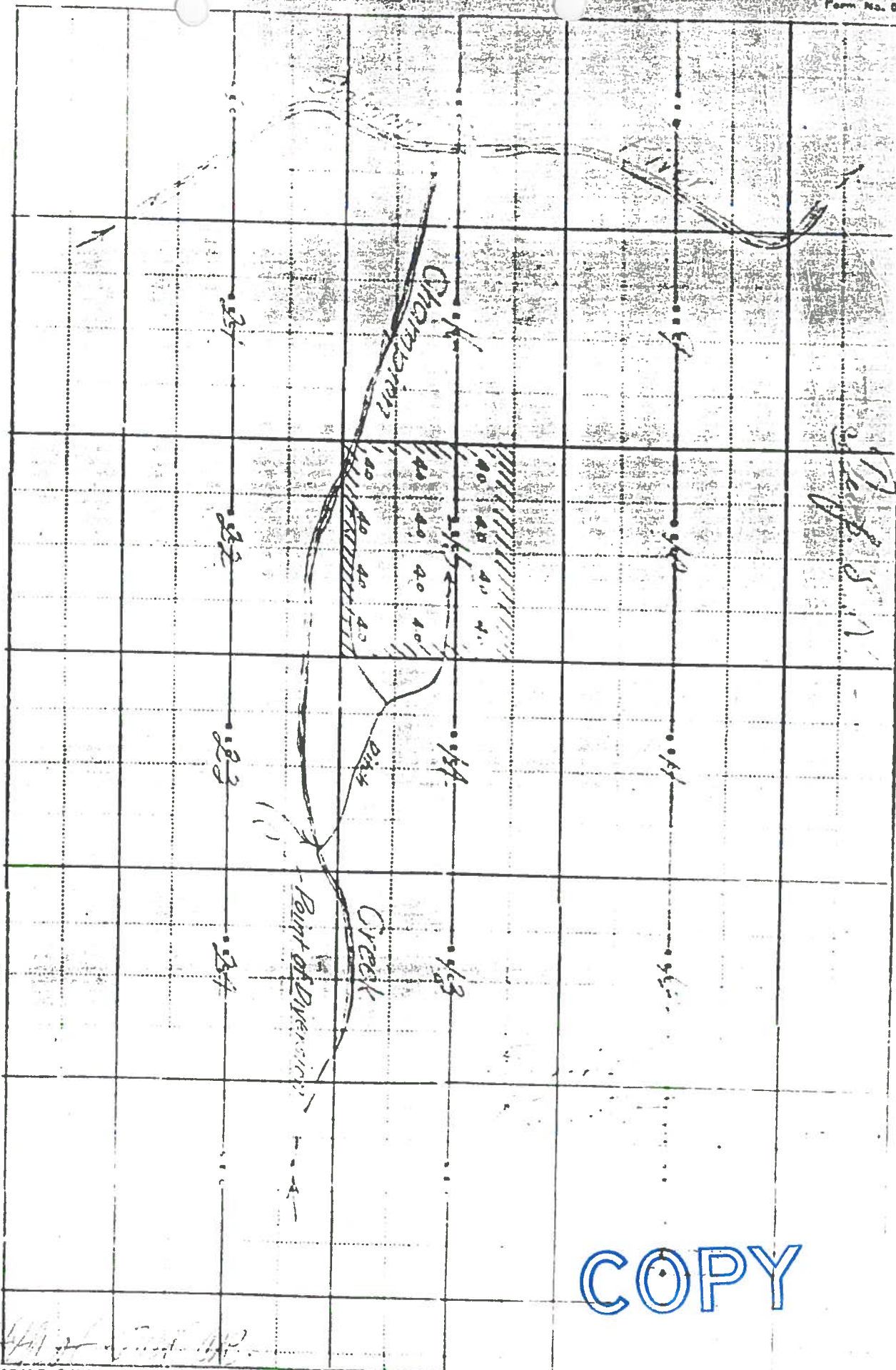
Diversion

23

22

21

COPY



COPY

State of Idaho  
License and Certificate of Water Right

Water License No. 17345  
Water District No.

Amount 3.30 second feet  
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. 17345 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. McVY 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. 17345 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 4174, on the 6th day of September, 1943; The right hereby confirmed dates from July 28, 1930;

The Point of Diversion is located 300 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 NE                             | 40                            | --                           |
|      |       |      | SE NE                             | 40                            | --                           |
|      |       |      | SW NW                             | 40                            | 15                           |
|      |       |      | SE NW                             | 40                            | 5                            |
|      |       |      | NE SW                             | 40                            | 35                           |
|      |       |      | SE SW                             | 40                            | 40                           |
|      |       |      | SW SW                             | 40                            | 15                           |
|      |       |      | SE SW                             | 40                            | 25                           |
|      |       |      | NE SE                             | 40                            | --                           |
|      |       |      | SW SE                             | 40                            | 5                            |
|      |       |      | SE SE                             | 40                            | 25                           |
|      |       |      | SW SE                             | 40                            | --                           |
|      |       |      | SE SE                             | 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.

State Reclamation Engineer  
WITNESS the seal and signature of the Commissioner of Reclamation of Idaho

(SEAL)

JAMES SPOTFORD  
Commissioner of Reclamation  
State Reclamation Engineer

71 2001  
MICROFILMED  
MAR 17 1993

4444 JULY CR

15. Basis of Claim (check one) ☐ Special Use ☐ Posted Notice ☐ License XXX Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number \_\_\_\_\_  
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 2

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

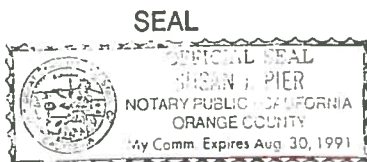
Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

**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 11/8/90

State of Idaho/or California )  
County of Orange ) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of January 1990



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 \_\_\_\_\_

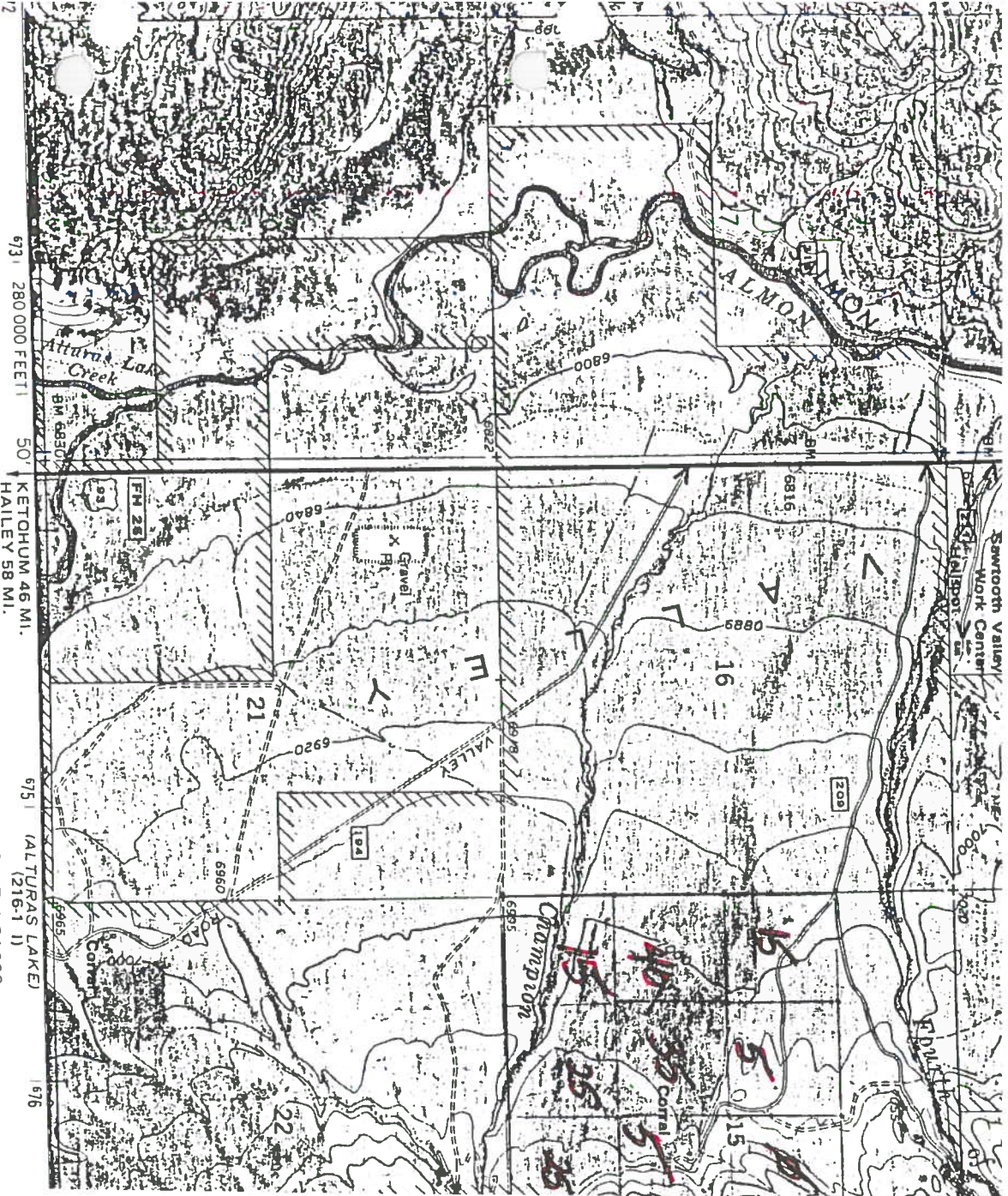
Date \_\_\_\_\_

COPY

Last Name 4th of July Creek Ident. Number \_\_\_\_\_

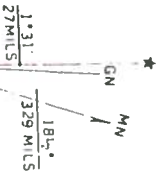
Copies White-State, Yellow-Claimant





Survey 1963

Central zone



UTM GRID AND 1963 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

ROAD CLASSIFICATION

TOWNSHIP AND SE

Heavy Duty. \_\_\_\_\_

Medium Duty..... \_\_\_\_\_

\_\_\_\_\_ Su

Light Duty.. \_\_\_\_\_

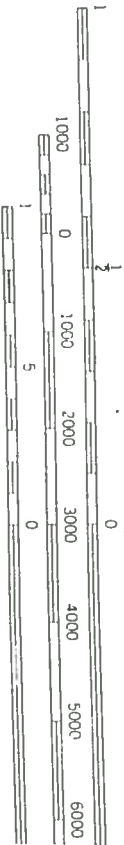
Unimproved Dirt \_\_\_\_\_

\_\_\_\_\_ Su

CONTOUR INTERVAL 40 FEET

DOTTED LINES REPRESENT 20-FOOT CONTOURS

DATUM IS MEAN SEA LEVEL



COPY

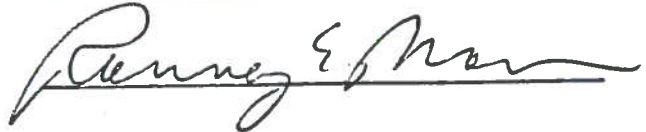
RE: In Re the General Adjudication of Rights to the Use of  
Water from the Snake River Basin Water System, Case  
No. 39576, District Court for Twin Falls County, Idaho

Claimant: 4th of July Creek Ranch, Inc.

Claim No.(s): A71-02047; A71-02054; A71-04018

✓ It is my desire that the law firm of Rosholt,  
Robertson & Tucker enter an appearance on my behalf in the  
Adjudication and represent my interest in the Adjudication  
process.

DATED this 29 day of Nov, 1991.



                     It is not my desire that the law firm of Rosholt,  
Robertson & Tucker represent my interest in the Adjudication  
process.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

\_\_\_\_\_

MICROFILMED  
MAR 17 1993

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  
TWIN FALLS, IDAHO  
FEB 11 1992

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

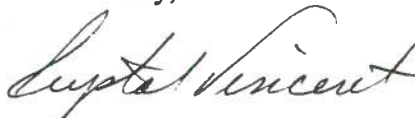
RE: SRBA CLAIMS IN THE SOUTHERN REGION

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

DIVERSION  
VOLUME

**Stage: LICENSE**

165.0

**Pou County: CUSTER**

Other Water Rights Listing Overlapping Place(s) of use:  
71-02047 71-04018

Priority Date: 07/28/1930  
Proof Made Date:  
Exam Sent to S.O.:

**Field Exam Fee:**

|        |          |          |         |
|--------|----------|----------|---------|
| Audit: | 02/11/85 | 05/28/88 | CONVERT |
|--------|----------|----------|---------|

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 26<sup>th</sup> day of April, 1999.

  
W. MICHAEL HUMPHREYS

STATE OF Massachusetts )  
 ) ss.  
County of Essex )

On this 26<sup>th</sup> 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

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            )  
                                  ) ss.  
County of Ada             )

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.

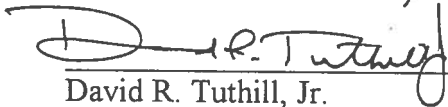
8. I adopt as my testimony and incorporate in this Affidavit the Legal Principles and the Conclusions portions of the Supplemental Director's Report Regarding Claim to Water Right

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 6<sup>th</sup> day of October, 1999

  
David R. Tuthill, Jr.

SUBSCRIBED AND SWORN before me this 6<sup>th</sup> 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  
 Water District No. \_\_\_\_\_

Amount 3.30 second feet  
 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 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<br>Described in Permit | No. Acres<br>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.

State Reclamation Engineer

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

JAMES SPOFFORD

Commissioner of Reclamation  
 State Reclamation Engineer

(SEAL)

# 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  $\frac{1}{4}$  NE  $\frac{1}{4}$ , 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 2.8 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>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              |                                  |                                 |
|      |       |      |                                   | 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)

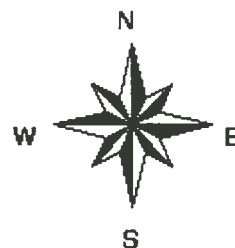
(Quit-claim Deed transferring from George L. Young and Pearl Z. Young to Ora McVey and Geyer McVey, August 1, 1930, recorded under Permit No. 16201.)

# ATTACHMENT C

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



0 1820 3640 5460 Feet

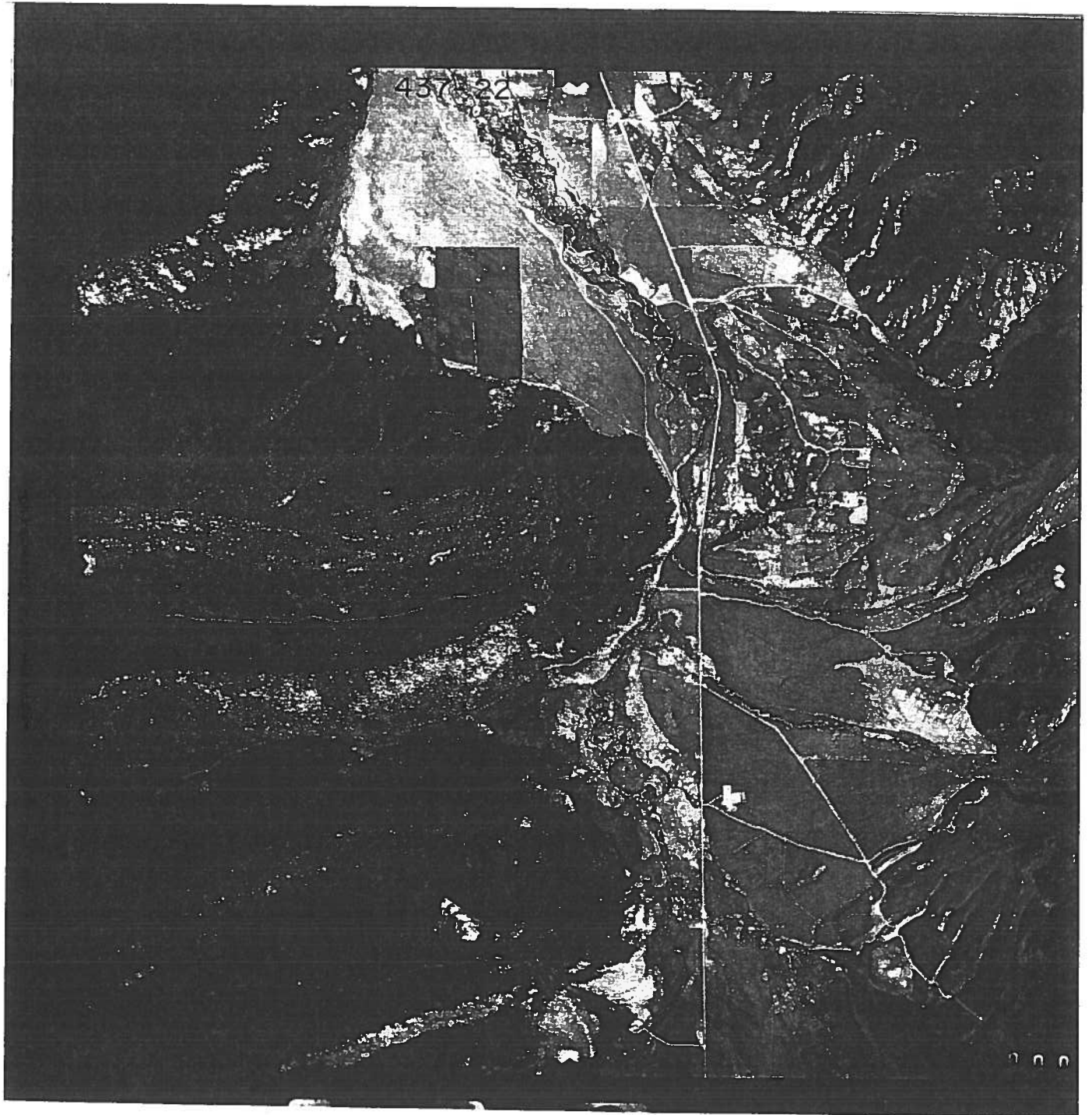


RECOMMENDED PLACE OF USE  
DATA ENTRY ON OCTOBER 1, 1999  
TWP 08N; RNG 14E; SEC 15

⊙ 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

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 NWNWNWPURPOSE 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 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 - LICENSE

AJ5856NP

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

DATE: SEP-28-1999

PAGE: A-6

-----  
RIGHTS FROM: SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER  
-----

RIGHT NUMBER: 71-02054 (CONT)

EXPLANATORY MATERIAL: (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       |
|                     | )     |                                      |
|                     | )     |                                      |
|                     | )     |                                      |
| <hr/>               |       |                                      |
| 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 7<sup>th</sup> day of Oct, 1999

Kelly K. Christensen  
Kelly K Christensen

SUBSCRIBED AND SWORN before me this 7<sup>th</sup> day of October 1999

Deborah 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 5<sup>th</sup> 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.

## **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

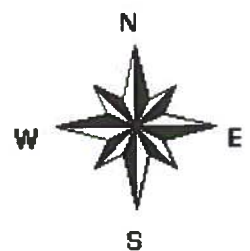
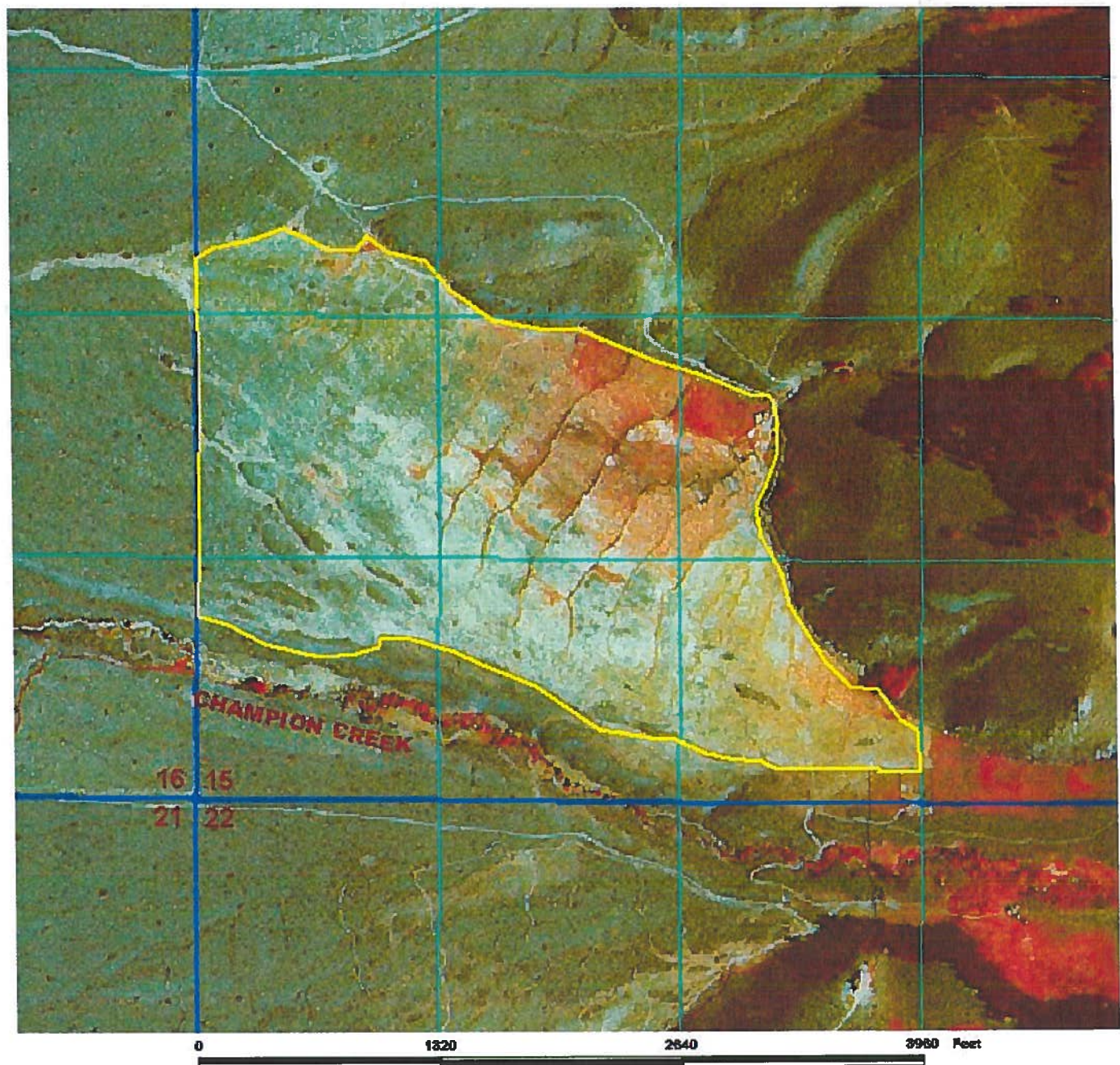
|                      |     |     |    | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |       |
|----------------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|
| TNS                  | RNG | SEC |    | 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



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

RECEIVED

JAN 14 1999

Department of Water Resources

71-0205  
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 71-02054

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

F.

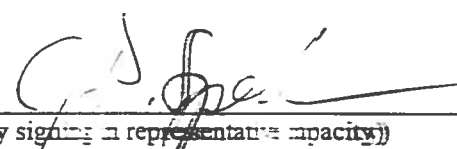
**VERIFICATION (Must be completed)**

State of Idaho            )  
                                  )       ss.  
County of Blaine        )

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

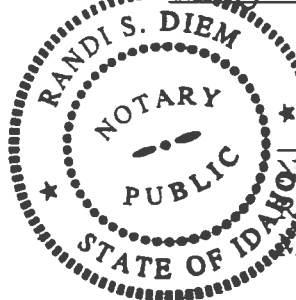
That I am the party/claimant filing this objection, as defined by I.C. § 5-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

\_\_\_\_\_  
(Signature of person filing objection)

  
\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on \_\_\_\_\_

January 12, 1999



  
\_\_\_\_\_  
Notary Public for Idaho

Residing at Paine Co., ID

My Commission expires 8-29-03

**JAN 22 1999**

• 1999 JAN 14 PM 4: 44

DISTRICT ATTORNEY - SRBA  
TWIN FALLS CO., IDAHO  
FILED

## Page 1

- E. REASONS SUPPORTING OBJECTION(S): The number of acres recommended as a combined place of use for 71-02047B, 71-02054, and 71-04018 (159.6 acres) is less than the combined number of acres historically irrigated under the three water rights.

VERIFICATION (Must be Completed)

State of Idaho                     )  
                                              )ss.  
County of Twin Falls            )

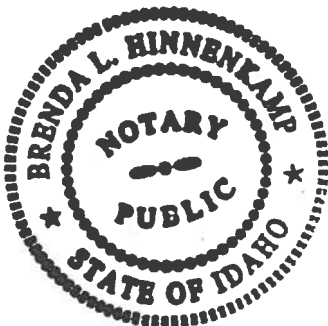
Norman M. Semanko, duly sworn, upon oath, deposes and says:

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)

*N. M. Semanko*  
\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:     January 14, 1999



*Brenda L. Hinnenkamp*  
\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at: *Twin Falls, ID*  
My commission expires: *9/11/2004*

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: **A71-02054**  
Date Received: 2/ 6/1990  
Receipt No: S011132  
Received By: \_\_\_\_\_

Per Request Rosholt's Office  
changed spelling on Loyd to  
Lloyd. jg

**NOTICE OF CLAIM TO A WATER RIGHT  
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: JUL 28, 1930

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 | 3.300 |      |        |

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

8. Total consumptive use is 330.0 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 | 15.0  |
|          |       |         | SE     | NW  |     | IRR | 5.0   |
|          |       |         | NE     | SW  |     | IRR | 35.0  |
|          |       |         | NW     | SW  |     | IRR | 40.0  |

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

July 22, 1998

NOTICE OF ERROR  
REPLY

RECEIVED

AUG 14 1998

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

Department of Water Resources

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: 71-02054

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

W. Michael & C. Petre Humphreys

72 ABBOTT Rd  
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 Humphreys

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

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_  
Please print your name: \_\_\_\_\_

# ACTION REQUIRED

**FROM:** Judy - Adjudication Secretary

**DATE:** 8/25/93

**TO:** Field Examiner

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

*Ketchum*

*9/27/93 left message*

*8-9-95 called left message.*

Water Right Number - R71-02054

Prefix Translation: RESEARCH

Old (D) Number - 17343

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

\*\*\* A - ATTORNEY \*\*\*  
ROSHOLT

JOHN

1 - ROSHOLT ROBERTSON & TUCKER  
2 - PO BOX 1906  
3 -

City- TWIN FALLS  
Phone - 208-734-0700  
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 - - - +  
07/28/1930 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 3.300

+ - - Total Div. Rate - + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +  
3.300 0.0

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

Total Acres: 159.6

|                      |              |                       |              |                         |   |       |
|----------------------|--------------|-----------------------|--------------|-------------------------|---|-------|
| Court Report Filing  | - 00/00/0000 | Field Inspection Made | - 08/17/1995 | Civil Case Number       | - | 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | - |       |
| Response Filed Date  | - 00/00/0000 | Verified Date         | - 00/00/0000 | Old Judicial District   | - |       |
| Claim Received Date  | - 02/06/1990 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - | P     |
|                      |              | Receipt Number        | - S01132     | Water District          | - |       |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - | S     |
|                      |              | Name Connector        | - OR         | Presumption Flag        | - | C     |
|                      |              |                       |              | Notice of Error Flag    | - |       |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

10:30:21  
06/09/98

PAGE: 1  
GENERAL INFORMATION

1  
CLAIM NUMBER: A71-02054

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: 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

LAST: MC VEY FIRST: GEYER  
ADDRESS:  
CITY: TWIN FALLS STATE: ID ZIP: X  
PHONE NUMBER: 208-000-0000

OWNER CODE: O

LAST: MC VEY FIRST: MERTON O  
ADDRESS:  
CITY: TWIN FALLS STATE: ID ZIP: X  
PHONE NUMBER: 208-000-0000

OWNER CODE: O

LAST: ROSHOLT FIRST: JOHN  
ADDRESS: ROSHOLT ROBERTSON & TUCKER  
PO BOX 1906  
CITY: TWIN FALLS STATE: ID ZIP: 833031906  
PHONE NUMBER: 208-734-0700

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER Y( ) N( )

CLAIM REMARKS: GEN MAP OF ORIGINAL FILING SHOWS 40-ACRE TRACTS - LICENSED AMOUNTS  
ARE INDICATED FROM DATABASE REVIEW AND MICROFILM REVIEW OF  
LICENSE AS ISSUED.

\*\*\*\*\*  
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: manager

DIRECTIONS TO PROPERTY / NOTES:

---

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---

---

---

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---

---

A. AJ CLAIM: # A71-02054 PRIORITY DATE: 07-28-1930 STAGE: L

B. WR RECORD: # 71-02054 PRIORITY DATE: 07-28-1930 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 priority date matches the licensed date  
and the found P/L matches the licensed P/L

Therefore I accept the date as claimed

=====

RECOMMENDED PRIORITY DATE:

07-28-1930

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<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A71-02054 | 08N 14E   | 23   |     | NE  | NE  |     |             | CUSTER |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD

| A PREFIX   | R PREFIX   |
|------------|------------|
| A71-02047B | R71-02047B |
| A71-04018  | R71-04018  |
| A71-10277  |            |
| A71-10278  |            |

WR RECORDS IN SAME 40 ACRE TRACT

|          |
|----------|
| 71-02047 |
| 71-04018 |

*See Attached  
narrative*

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<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|-----------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| 71-02054 | 08N 14E   | 23   |     | NE  | NE  |     |             | CUSTER |                |                  |

OTHER WR RECORDS WITH SAME WR POD

|          |
|----------|
| 71-02047 |
| 71-04018 |

AJ CLAIMS IN SAME 40 ACRE TRACT

| A PREFIX   | R PREFIX   |
|------------|------------|
| A71-02047B | R71-02047B |
| 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 7-1-93) NAME OF EXAMINER Allen Merritt Y( ) N( )

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: one P/D was added to system (date unknown)  
flag right C#3 also the legal for the original P/D  
was found to be different.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| TWP.           | RGE.           | SEC.          | 1/4       | 1/4       | 1/4       | LOT | POD<br>FLAG | COUNTY<br>CLUSTER | DIVERSION NAME | DIVERSION NBR |
|----------------|----------------|---------------|-----------|-----------|-----------|-----|-------------|-------------------|----------------|---------------|
| <del>08N</del> | <del>14E</del> | <del>23</del> |           | NE        | NE        |     |             |                   |                |               |
| <u>8N</u>      | <u>14E</u>     | <u>23</u>     | <u>NW</u> | <u>NW</u> | <u>NW</u> |     |             |                   |                |               |
| <u>8N</u>      | <u>14E</u>     | <u>13</u>     | <u>SW</u> | <u>SW</u> | <u>SW</u> |     |             |                   |                |               |
|                |                |               |           |           |           |     |             |                   |                |               |
|                |                |               |           |           |           |     |             |                   |                |               |
|                |                |               |           |           |           |     |             |                   |                |               |
|                |                |               |           |           |           |     |             |                   |                |               |
|                |                |               |           |           |           |     |             |                   |                |               |

SOURCE: CHAMPION CREEK

TRIB: SALMON RIVER

REVIEWED BY: KKC

DATE: 6-9-98

SYSTEM DESCRIPTION: DESCRIBED BELOW ( ), SEE LICENSE FILE ( ), OR SEE ATTACHMENT ( )

see Attachment



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

PHILIP E BATT  
GOVERNOR

KARL J DREHER  
DIRECTOR

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: A71-02054  
R71-02054

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                   | AJ<br>#/ACRES     | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|------------------------|-------------------|-----------------|-----------------|----------------|------------------|
| 08N | 14E | 15  | SW  | NW  |     | VON HAGEN FAMILY TRUST | A71-02054 / 15.0  | 71-02054 / 15.0 | 4.0             |                |                  |
|     |     |     | SW  | NW  |     | ROSHOLT, JOHN          | A71-02047B / 10.0 | - /             |                 |                |                  |
|     |     |     | 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 | A71-02054 / 5.0   | 71-02054 / 5.0  | 1.0             |                |                  |
|     |     |     | SE  | NW  |     | ROSHOLT, JOHN          | A71-02047B / 10.0 | - /             |                 |                |                  |
|     |     |     | 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 | A71-02054 / 35.0  | 71-02054 / 35.0 | 36.0            |                |                  |
|     |     |     | NE  | SW  |     | ROSHOLT, JOHN          | A71-02047B / 20.0 | - /             |                 |                |                  |
|     |     |     | 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 | A71-02054 / 40.0  | 71-02054 / 40.0 | 14.0            |                |                  |
|     |     |     | NW  | SW  |     | ROSHOLT, JOHN          | A71-02047B / 10.0 | - /             |                 |                |                  |
|     |     |     | 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  | SW  | SW  |     | VON HAGEN FAMILY TRUST | A71-02054 / 15.0  | 71-02054 / 15.0 | 8.0             |                |                  |
|     |     |     | SW  | SW  |     | VON HAGEN FAMILY TRUST | A71-04018 / 30.0  | 71-04018 / 30.0 |                 |                |                  |
|     |     |     | SW  | SW  |     | ROSHOLT, JOHN          | R71-02054 / 15.0  | - /             |                 |                |                  |
|     |     |     | SW  | SW  |     | ROSHOLT, JOHN          | R71-04018 / 30.0  | - /             |                 |                |                  |
| 08N | 14E | 15  | SE  | SW  |     | VON HAGEN FAMILY TRUST | A71-02054 / 25.0  | 71-02054 / 25.0 | 15.0            |                |                  |
|     |     |     | SE  | SW  |     | HUMPHREYS, W MICHAEL   | A71-02047A / 10.0 | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | ROSHOLT, JOHN          | A71-02047B / 10.0 | - /             |                 |                |                  |
|     |     |     | SE  | SW  |     | VON HAGEN FAMILY TRUST | A71-04018 / 25.0  | 71-04018 / 25.0 |                 |                |                  |
|     |     |     | SE  | SW  |     | ROSHOLT, JOHN          | R71-02047B / 10.0 | - /             |                 |                |                  |

*See  
GIS  
land  
list*

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                   | AJ<br>#/ACRES     | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|------------------------|-------------------|-----------------|-----------------|----------------|------------------|
|     |     |     | SE  | SW  |     | ROSHOLT, JOHN          | R71-02054 / 25.0  | - /             |                 |                |                  |
|     |     |     | 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 | A71-02054 / 5.0   | 71-02054 / 5.0  |                 | 13.0           |                  |
|     |     |     | NW  | SE  |     | ROSHOLT, JOHN          | A71-02047B / 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 | A71-02054 / 25.0  | 71-02054 / 25.0 |                 | 27.0           |                  |
|     |     |     | SW  | SE  |     | ROSHOLT, JOHN          | A71-02047B / 15.0 | - /             |                 |                |                  |
|     |     |     | 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      A71-02054      165.00      165.00      118.00

POU COUNTY: CUSTER

159.6  
See Attached  
GIS Landlist.  
P/A layout is in  
71-02047B

AIM NUMBERS 71-02047B  
02054  
04018

DATE 6-8-98  
AGENT KKC

TRANSFER NUMBER \_\_\_\_\_  
HOMESTEAD ENTRY NO. \_\_\_\_\_  
CLAIMED ACRE TOTAL 466 220  
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 20 DESCRIPTION  
Sec 13  
NESWSW  
49 Sec 23  
NWNWNW

B71-DBPOU.SHP  
SHAPE NOS  
229  
DBF TABLES UPDATED  
B71-DBPOD.DBF K  
B71-DBPOU.DBF /

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 |
|------------|----------------|------------------------|-----------|----------------|-----------|----------------|
| A71-02054  | CHAMPION CREEK | VON HAGEN FAMILY TRUST | 3.300     | 0.020          |           |                |
| A71-02047A | CHAMPION CREEK | HUMPHREYS, W MICHAEL   | 0.200     | 0.020          |           |                |
| A71-02047B | CHAMPION CREEK | ROSHOLT, JOHN          | 2.800     | 0.035          |           |                |
| R71-02047B | CHAMPION CREEK | ROSHOLT, JOHN          | 2.800     | 0.035          |           |                |
| 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( ) N( )

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A71-02047B, 04018

*see Attachment*

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(X)

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)

[illegible]

TOTAL ACRES: 159.6 N/A( )

REVIEWED BY: KKC 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 |
|-----------------------------|--------------------------------------------------------------------------|------------------------|------------------------|
| A71-02054 IRRIGATION        | FROM <del>04-15</del> <sup>5-1</sup> TO <del>10-15</del> <sup>9-30</sup> | 3.300 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                                                                          | 3.300 CFS              |                        |

*No season shown on license. Recom to Dept standards.*

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 71-02054 IRRIGATION         | FROM TO                   | 3.300 CFS              |                        |
| 71-02054 DOMESTIC           | FROM TO                   |                        |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 3.300 CFS              |                        |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) 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(☒) N(☐)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) 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(☒) 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(☒) 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(☐)

NOTES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

AJ CLAIM TOTAL DIVERSION RATE: 3.300 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.300 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 See 71-02047B for measurement notes by Allen Merrill SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES \_\_\_\_\_ x 0.02 CFS/ACRE = \_\_\_\_\_ CFS  
(Taken from pou review)

1b. CALCULATIONS

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 = 330.0 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 Attached  
Huble 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

*Claimed*  
~~DECEASED~~ RATE = 2047B - 2.80  
CLAIMED DIVERSION RATE = 2054 3.30  
ORIGINAL HUBBLE RATE = 4018 2.40  
MEASURED DIVERSION RATE = 1.0 5.0 CFS

[illegible]

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (\_\_\_)

| REC.<br>PURPOSE OF USE | REC. PERIOD            |                          | REC. DIV          |                   | REC. DIV |                   | REC. CONS.        |                   |
|------------------------|------------------------|--------------------------|-------------------|-------------------|----------|-------------------|-------------------|-------------------|
|                        | FROM                   | TO                       | RATE              | CFS               | VOL.     | AF/A              | USE               |                   |
| IRRIGATION             | 51<br><del>04-15</del> | 9.30<br><del>10-15</del> | DATABASE<br>3.300 | EXAMINER<br>_____ | DATABASE | EXAMINER<br>_____ | DATABASE<br>330.0 | EXAMINER<br>_____ |
| _____                  | _____                  | _____                    | _____             | _____             | _____    | _____             | _____             | _____             |
| _____                  | _____                  | _____                    | _____             | _____             | _____    | _____             | _____             | _____             |
| _____                  | _____                  | _____                    | _____             | _____             | _____    | _____             | _____             | _____             |
| _____                  | _____                  | _____                    | _____             | _____             | _____    | _____             | _____             | _____             |
| 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: C

STANDARD CONDITIONS (CODE):

003

STANDARD REMARKS (CODE):

EXP F06

020478, 02054, 04018

POU1E14

limit to 159.6

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | (X)                    | ( )             |
| FORFEIT/ABANDON _____        | ( )                    | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-02054

DATABASE  
3.300

EXAMINER  
\_\_\_\_\_

N/A  
CFS

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A71-02054                | 3.300             | R71-02054                 | 3.300            | 71-02054            | 3.300             |
| TOTAL CFS            |                          | 3.300             |                           | 3.300            |                     | 3.300             |

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  
Y

FIELD  
EXAMINER  
Y( ) N( )

NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AUT AUTHENTICATION: DATE: 6-9-98

SIG SIGNATURE: Kelly K Christensen DATE: \_\_\_\_\_

EXAMINER: KELLY K CHRISTENSEN

NAM SR WATER RESOURCE AGENT 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<br>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<br>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

10:30:21  
06/09/98

PAGE: 17  
QUICKLOOK INFORMATION

17  
CLAIM NUMBER: A71-02054

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| POINT OF DIV              |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| SOURCE                    |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PURPOSES OF USE           | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PERIOD OF USE             | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| REMARKS                   | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE