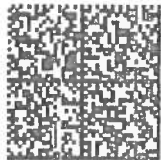


Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
METNEY BOWES
02 1A
0004310839
NOV 18 2005
\$ 00.60⁰⁰
MAILED FROM ZIP CODE 83702

POSTAGE CHECKED
☐ Postage Not Paid
☐ Postage Order Entered
☐ Unable To Forward
☐ Undelivered - Not Known
☐ No Such Street No Such Number
☐ Insufficient Address

ROBERT L. BELL

RT 1
MARS

NOV 18 2005
ID 83639

2-10179
Preliminary Report

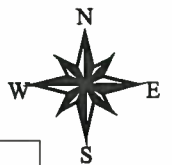
Idaho Department of Water Resources

Place of Use Layout 2-10179



0 0.25 0.5 Miles

Township 3N Range 4W Section 34

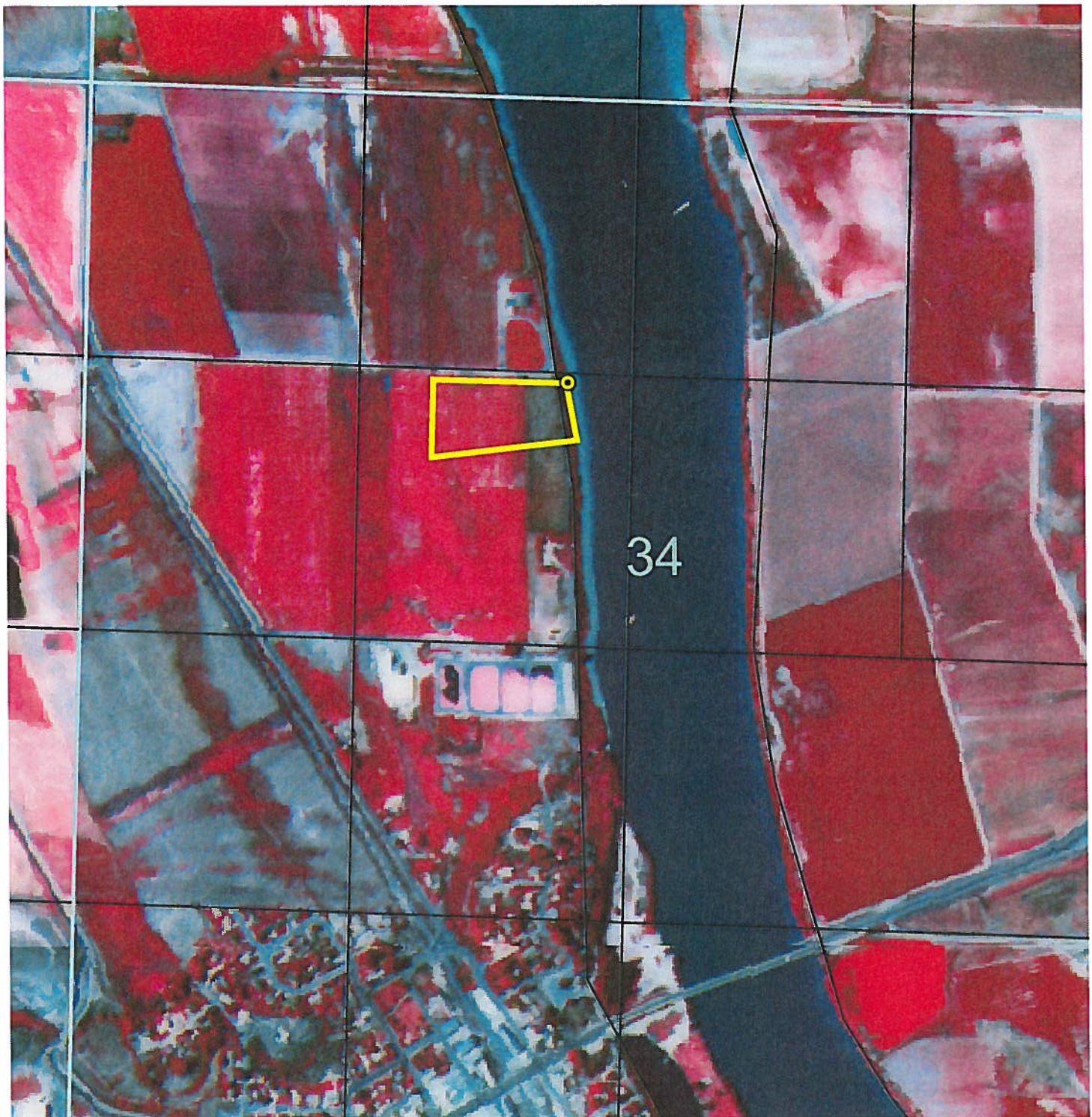


GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: JWilson
Date prepared: Nov. 4, 2005

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

Idaho Department of Water Resources

1987 NAPP Photo



0 0.2 0.4 0.6 0.8 Miles

Claim Number: 02-10179
Legal: T03N, R04W, S34
Reviewed By: BTD 6/28/05

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-10179

Date: 7-30-02

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	4W	34								-7 3.9									3.9
GIS											5									5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 3.9

Overlapping POU Claim #'s:

Total GIS Acres: 5

COMMENTS:

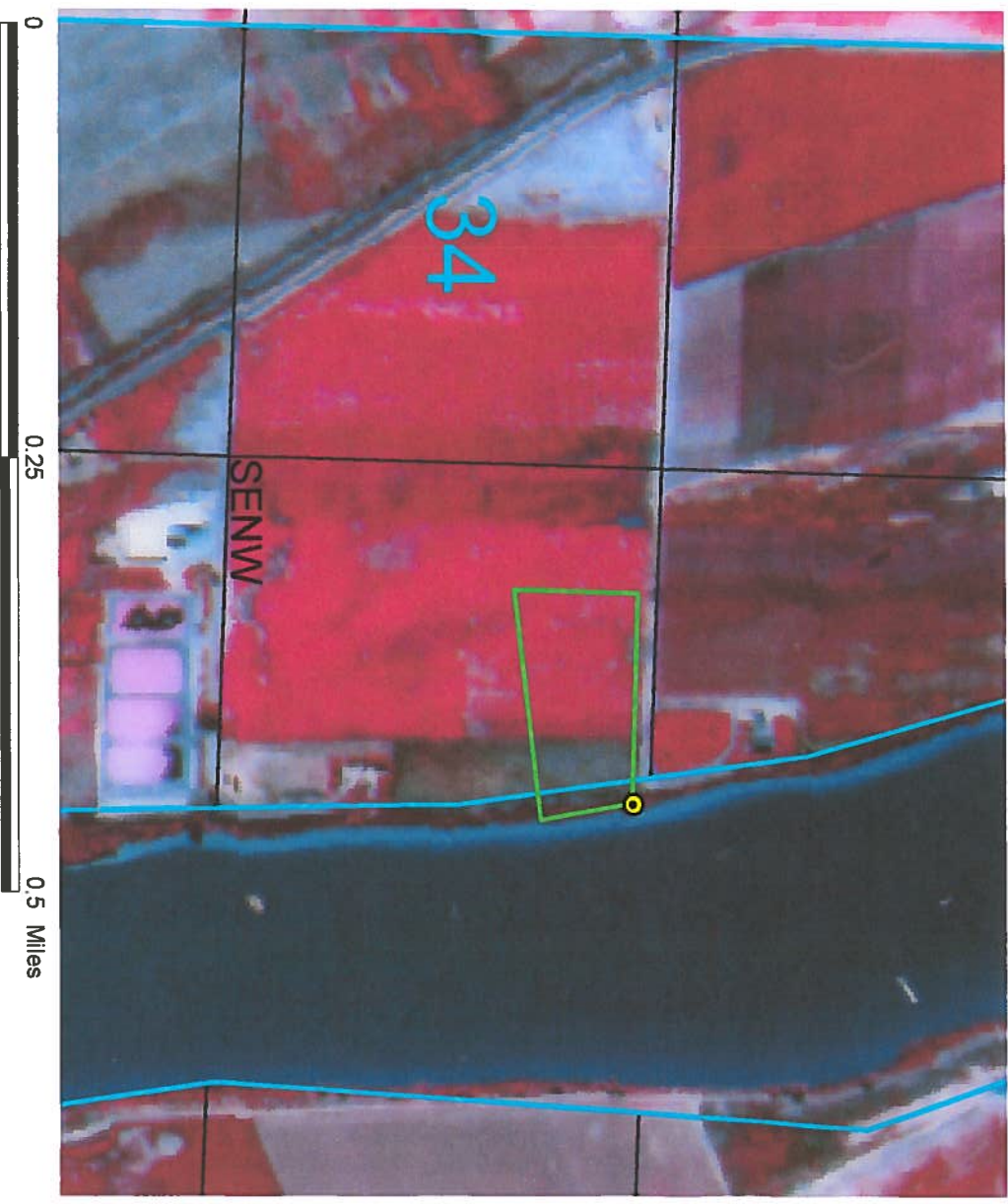
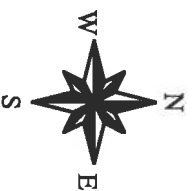
Per claim map.

POD estimated per claim legal.

Idaho Department of Water Resources

Claim Number: 02-10179
Legal: T03N, R04W, S34
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

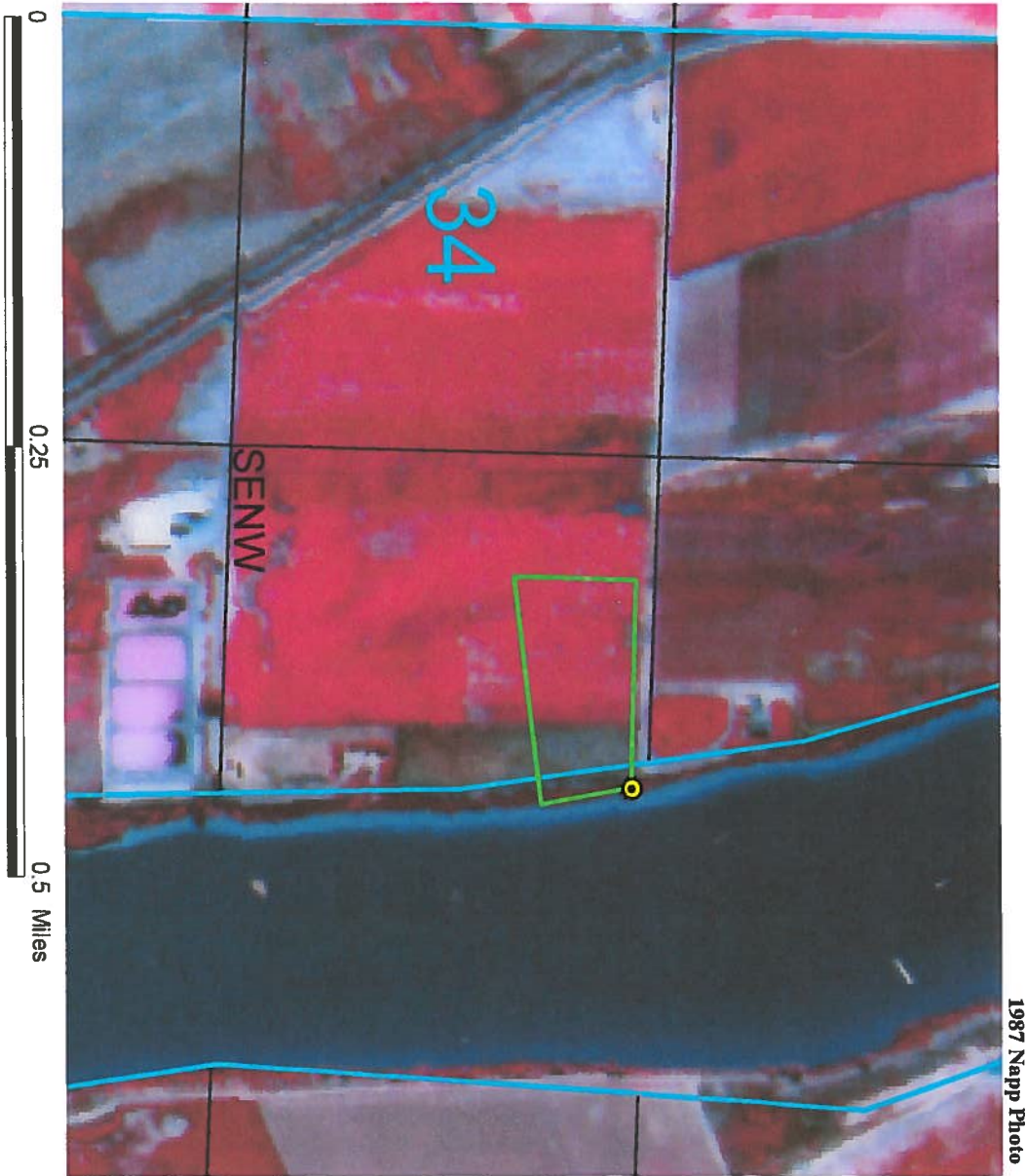
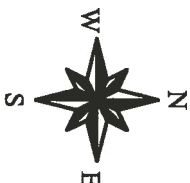


1987 Napp Photo

Idaho Department of Water Resources

Claim Number: 02-10179
Legal: T03N, R04W, S34
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Memo to File 02-2113J and splits

May 25, 2001

Sue Bock

Raymond Holt filed a change of ownership on 02-2113J. Mr. Holt purchased 5.04 acres from Vance Van Hall; however, the warranty deed limited the number of irrigated acres to 3.75. Subsequently the Sugarwala's purchased from Holt. The Sugarwala's have been informed that only 3.75 acres of irrigation can be conveyed to them. Their property is located in Govt lot 8 see attached maps. On May 24, 2001 they filed an application for permit for 1.25 acres to cover their entire parcel.

Robert Bell also purchased from Van Hall. The remainder of the right, 7.85 acres was put in Bell's name when the change of ownership was submitted. This was an oversight on our part. Bell has 2 pieces of property 4.2 acres and 2.8 acres; however both parcels of land are located govt lot 7. The number of acres remaining in Lot 7 is 3.9 acres this is the amount of land the Bell's claim will reflect.

The remainder of the right, 3.95 acres in govt lot 8 will stay in Van Hall's name until a new change of ownership has been submitted.

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 02-10179
Date Received: 1/3/89
Receipt No:
Received By:

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

1. Name of Claimant(s)

ROBERT L BELL
RT 1 BOX 8
MARSING ID USA 83639

Phone: (208) 896-5031

2. Date of Priority: 04/05/1954

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	04W	34	SE NW 7	OWYHEE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.075	

7. Total Quantity Appropriated is:
0.075 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	04W	34	SE NW	7	IRRIGATION	3.9
Section Acres						3.9
Total Acres						3.9

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split for a portion of 02-10173. DB 5/25/2001

15. Basis of Claim: License

02-10173



02-10178

Van Hall

Lot 8

3.95 acres

.075 cfs



02-10179

Bell

Lot 7

3.9 acres

0.075 cfs

WARRANTY DEED

For Value Received

VANCE VAN HALL, a married man dealing as his sole and separate property

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

ROBERT L. BELL and DEBBIE L. BELL, husband and wife

the grantee s, whose current address is,
the following described premises, to-wit:

That certain parcel of land located in Government Lot 7, Section 34, Township 3 North, Range 4 West, B.M., Owyhee County, Idaho as more fully described on Exhibit "A" attached hereto and by reference thereto made a part hereof:

FURTHER RESERVING a right of way and easement for private and/or public utilities 10 feet in width adjacent to the ingress-egress right of way to the westerly side thereof, including rights for irrigation and drainage purposes.

SUBJECT TO reservations in Patents and State Deeds and to any changes in the meander line of the Snake River.

SUBJECT TO Restrictive Covenants and to an easement to Idaho Power executed by the Grantor.

FILED RECORDED
'93 APR 9 PM 3 50
BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
REQUEST OF
O.C.T.
FEE \$6.00
INDEXED
MICROFILMED

210042

TOGETHER WITH all water and water rights appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all incumbrances except taxes and assessments for the year 1993 and subsequent years

and that he will warrant and defend the same from all lawful claims whatsoever.
Dated: April 1, 1993

[Signature]
Vance Van Hall

STATE OF IDAHO, COUNTY OF

On this 1st day of June, 1993, before me, a notary public in and for said State, personally appeared

[Signature]
known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

[Signature]
Notary Public
Residing at _____, Idaho
Comm. Expires 7-10-93

STATE OF IDAHO, COUNTY OF

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

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____

INSTRUMENT NO.

Exhibit "A" to Warranty Deed - Van Hall to Bell

This parcel is a portion of Government Lot 7 of Section 34, Township 3 North, Range 4 West of the Boise Meridian and is more particularly described as follows: **COMMENCING** at the northwest corner of said Section 34; thence South 0°13'20" East along the west boundary of said Section 34 a distance of 1336.00 feet; thence North 89°54'00" East a distance of 1671.40 feet; thence South 0°19'00" West a distance of 99.30 feet to the **TRUE POINT OF BEGINNING**; thence North 89°54'00" East a distance of 660.61 feet to a point on the approximate mean high water line of the Snake River; thence South 6°55'30" East along said high water line a distance of 222.32 feet; thence leaving said high water line and bearing South 81°02'17" West a distance of 697.75 feet; thence North 0°19'00" East a distance of 328.24 feet to the **TRUE POINT OF BEGINNING**.

This parcel is subject to and includes use of a 25.00 feet wide ingress-egress easement described as follows: **COMMENCING** at the northwest corner of Section 34, Township 3 North, Range 4 West, Boise Meridian; thence South 0°13'20" East along the west boundary of said Section 34 a distance of 1311.00 feet to the **TRUE POINT OF BEGINNING** for said easement; thence North 89°54'00" East a distance of 1697.13 feet; thence South 0°19'00" West a distance of 695.17 feet; thence Southeasterly 29.75 feet along the arc of a curve to the left having a central angle of 85°13'11", a radius of 20.00 feet and a long chord which bears South 42°17'36" East a distance of 27.08 feet; thence southwesterly 185.16 feet along the arc of a curve to the right having a central angle of 265°13'11", a radius of 40.00 feet and a long chord which bears South 47°42'24" West a distance of 58.88 feet; thence North 0°19'00" East a distance of 729.78 feet; thence South 89°54'00" West a distance of 1671.40 feet to a point on the said west boundary of said Section 34; thence North 0°13'20" West along said boundary a distance of 25.00 feet to the **TRUE POINT OF BEGINNING** of said easement.

Together with an undivided common right to have access to and use a boat ramp to be constructed and located in the northeast corner of Government Lot 7, such use and access to be expressly limited to access to the river, so long as the boat ramp is in existence; together with a further undivided common right to use a constructed pond, located along the boundary line common to the NW¼ and Government Lot 8, Section 34, Township 3 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, for aesthetic and nature purposes, such as the observation of wildlife and fishing. The access and use of the pond shall be limited to foot traffic only and fishing shall be permitted from the bank only, with no boats or other floating craft utilized on the water surface. The right to use the pond in common shall exist so long as the pond is in existence.

The usage of both the boat ramp for access to the river and the constructed pond shall be at the express risk of grantee and grantee assumes all risk connected therewith, and further, as a condition of this transfer, agrees to release grantor of any and all liability and shall further serve to indemnify and hold grantor free of any liability connected with the use of the boat ramp or the pond.

The foregoing common uses are exclusive to the real property described above and may be transferred only with a conveyance of the real property.

W.D.H.

THIS FORM FURNISHED COURTESY OF:

**ALLIANCE TITLE &
ESCROW CORP.**READ & APPROVED BY GRANTEE(S): R.L.B. D.L.B.

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 98017453 TC

WARRANTY DEED

FOR VALUE RECEIVED VANCE VAN HALL, a married man, as his sole and separate property

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto ROBERT L. BELL AND DEBBIE L. BELL, Husband and Wife

GRANTEE(S), whose current address is: 17320 COLONIAL PARK DRIVE, MONUMENT, CO 80132 the following described real property in OWYHEE County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TOGETHER WITH the irrigation pump, motor and irrigation pipeline located thereon and water rights appurtenant thereto.

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

Dated: December 04, 1997

Vance Van Hall
VANCE VAN HALLSTATE OF IDAHO)
COUNTY OF CANYON)On this 11th day of March, in the year of 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared VANCE VANHALL

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Signature: [Signature]Name: Jonathan M. BruttResiding at: [Address]My Commission Expires: 4-25-2000

ORDER NO. 98017453 TC

EXHIBIT "A"

This parcel is a portion of Government Lot 7 and 8 of Section 34, Township 3 North, Range 4 West of the Boise Meridian in Owyhee County, Idaho, and is more particularly described as follows:

COMMENCING at the Northwest corner of said Section 34; thence South 0 degrees 13'20" East along the West boundary of said Section 34, a distance of 1311.00 feet to the TRUE POINT OF BEGINNING; thence North 89 degrees 54'00" East a distance of 2316.47 feet to a point on the approximate mean high water line of the Snake River; thence South 6 degrees 55'30" East along said high water line a distance of 125.18 feet; thence leaving said high water line and bearing South 89 degrees 54'00" west a distance of 660.61 feet; thence North 0 degrees 19'00" east a distance of 99.30 feet; thence South 89 degrees 54'00" west a distance of 1671.40 feet to a point on said West boundary; thence North 0 degrees 13'20" West along said West boundary a distance of 25.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO THE RIGHTS OF RECORD for access and use as heretofor granted.

RESERVING TO THE GRANTOR HEREIN, His Successors, Heirs, and Assigns, an Easement for Irrigation Equipment, Fixtures, and Pipeline, together with access thereto, over and across the North 10 feet of the East 1,539.48 feet of the above described parcel and over the West 10 feet of the East 1,544.48 feet of the above described parcel.

R.L.B. - D.L.B. VVH

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 2-10173

Date Received: 1/3/89

Receipt No:

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): ROBERT L BELL
RT 1 BOX 8
MARSING ID USA 83639

Phone: (208) 896-5031

2. Date of Priority: 04/05/1954

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	04W	34	SE NW 7	OWYHEE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.15	

7. Total Quantity Appropriated is:
0.15 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	04W	34	NE NW	8	IRRIGATION	3.95
			SE NW	7	IRRIGATION	3.9
Section Acres						7.85
Total Acres						7.85

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 02-02113J. DB 2/27/2001.
Ownership changed by DB 4/11/2001

15. Basis of Claim: License