

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: A71-04055B
Date Received: 1/ 9/1990
Receipt No: S010898
Received By: OK HEB

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

**COPY FOR
YOUR FILES**

1. Name: ROGER A BROWNING 310-278-5100
Address: 360 NORTH BEDFORD DRIVE
BEVERLY HILLS CA 90210-5157
AND
Name: KATHERINE ANIXTER BROWNING 310-278-5100
Address: 360 NORTH BEDFORD DRIVE
BEVERLY HILLS CA 90210-5157

2. Date of Priority: MAY 15, 1921

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	13E	8	SW	SE			CUSTER

5. Description of diverting works:
PUMP, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.060		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	13E	8	SW	SE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

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:
A71-04055A

14. Remarks:
WARRANTY DEED ATTACHED.
D/ & S/ FILED UNDER A71-04055A.
OWNERSHIP CHANGED 9/25/95 BY TLB. MAILED TO GLASSMAN, BROWNING,
& SALTMAN.

15. Basis of Claim: STATUTORY CLAIM

Water Right Number - R71-04055B

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BROWNING

ROGER A

1 - 360 NORTH BEDFORD DRIVE
2 -
3 -

State- CA Zip- 902105157

BROWNING

KATHERINE ANIXTER

City- BEVERLY HILLS
Phone - 310-275-5100
1 - 360 NORTH BEDFORD DRIVE
2 -
3 -

State- CA Zip- 902105157

*** O - ORIGINAL OWNER ***
COVINGTON

F BRUCE

1 - PO BOX 1906
2 -
3 -

State- ID Zip- 833031906

COVINGTON

NOLA C

City- TWIN FALLS
Phone - 208-000-0000
1 - 1863 ALTURAS DR
2 -
3 -

State- ID Zip- 83301

COVINGTON

FEN H

City- TWIN FALLS
Phone - 208-733-1793
1 - 1863 ALTURAS DR
2 -
3 -

State- ID Zip- 83301

+ - - Priority Date - - +
05/15/1921

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - Source - - - - - +
GOAT CREEK

+ - - Tributary - - - - - +
SALMON RIVER

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

10N 13E 8 SW SE (37) CUSTER

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

01 - IRRIGATION 05/01 09/30

0.060

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KU Usage - +
0.060 7.5

Water right number - R71-040558

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
10N	13E	8	SW SE		3.0	01	IRRIGATION	(37) CUSTER

Total Acres: 3.0

+ - - Diversion Means - PUMP, PIPELINE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A71-04055A

Remarks - - - - -
WARRANTY DEED ATTACHED.
D / & S / FILED UNDER A71-04055A.
OWNERSHIP CHANGED 9/25/95 BY TLB. BOTH SIGNATURES ON FORM.

+ - - A7104055 - - - - - Old Water Right Numbers - - - - -

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

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

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

+ - - Audit Fields - - +
09/25/95 TBACKLUN

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

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-	00/00/0000	Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	01/09/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P
			Receipt Number	-	S010898	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-	AND	Presumption Flag	-	
						Notice of Error Flag	-	



September 22, 1995

RECEIVED

SEP 25 1995

Idaho Department of Water Resources
Attn: Judy Given
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301

Department of Water Resources
Southern Region

Re: Order No. 21217

SW1/4SE1/4 Section 8-10N-13E
Browning/Covington

Dear Judy:

In connection with the above mentioned order, please find attached copies of the following documents:

 x New Property Owner Notice of Change of Water Right Ownership. **ORIGINAL.**

If you have any questions, please feel free to call me.

Sincerely,

SAWTOOTH TITLE COMPANY

Nancy A. Woldberg
Escrow Officer

naw/hmh

Attachment(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 25, 1995

ROGER BROWNING
KATHERINE ANIXTER BROWNING
360 NORTH BEDFORD DRIVE
BEVERLY HILLS, CA 90210-5157

RE: SRBA CLAIM A71-04055B
COVINGTON

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM. WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THE OFFICE.

SINCERELY,

A handwritten signature in cursive script, reading "Tara L. Backlund".

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 09/22/95

LEGAL DESCRIPTION OF PROPERTY: Township 10 North Range 13 East
Section 8, SW 1/4 of SE 1/4 of 1/4 Govt. Lot SE 25, BM. 1995

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. Department of Water Resources
Southern Region

- ☐ 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: A71-04055B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
Nola C. Covington
1863 Alturas Drive
Twin Falls, ID 83301
- ☐ New Owner/Claimant (Purchaser):
Roger A. Browning & Katherine Anixter Browning
- ☐ New Mailing Address:
Glassman, Browning & Saltsman
360 North Bedford Drive
Beverly Hills, CA 90210-5157
- ☐ New Telephone Number: (310) 278 - 5100
- ☐ 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: _____
(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) Katherine Anixter Browning Date 9/14/95
Roger A. Browning Date 9/14/95
- ☐ 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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 9/25/95 By: ALB

Claim Numbers of Split, if any:

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



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 09/22/95

LEGAL DESCRIPTION OF PROPERTY: Township 10 North Range 13 East
Section 8, SW 1/4 of SE 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: A71-04055B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
Nola C. Covington
1863 Alturas Drive
Twin Falls, ID 83301
- ☐ New Owner/Claimant (Purchaser):
Roger A. Browning & Katherine Anixter Browning
- ☐ New Mailing Address:
Glassman, Browning & Saltsman
360 North Bedford Drive
Beverly Hills, CA 90210-5157
- ☐ New Telephone Number: (310) 278 - 5100
- ☐ 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: _____

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

- ☐ Signature of New Owner/Claimant(s) [Signature] Date 9/14/95
[Signature] Date 9/14/95
- ☐ 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: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 9/23/95 By: AKB

Claim Numbers of Split, if any:

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

Buyer

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 09/22/95

LEGAL DESCRIPTION OF PROPERTY: Township 10 North Range 13 East
Section 8, SW 1/4 of SE 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: A71-04055B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Nola C. Covington
1863 Alturas Drive
Twin Falls, ID 83301
- ☐ New Owner/Claimant (Purchaser): Roger A. Browning & Katherine Anixter Browning
- ☐ New Mailing Address: Glassman, Browning & Saltsman
360 North Bedford Drive
Beverly Hills, CA 90210-5157
- ☐ New Telephone Number: (310) 278 - 5100
- ☐ 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: _____

(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) _____ Date _____
_____ Date _____
- ☐ Signature of Former Owner/Claimant(s): Nola C. Covington Date 9/15/95
_____ 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: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A71-04055B
Date Received: 1/09/1990
Receipt No: S010898
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NOLA C. COVINGTON 208-733-1793
Address: 1863 ALTURAS DR.
TWIN FALLS, ID 83301

AND

Name: FEN H. COVINGTON 208-733-1793
Address: 1863 ALTURAS DR.
TWIN FALLS, ID 83301

2. Date of Priority: MAY 15, 1921

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	13E	8	SW	SE			CUSTER

5. Description of diverting works:
PUMP, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.060		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	13E	8	SW SE		IRR	3.0
Section Acres						3.0
Total Acres						3.0

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:
A71-04055A

14. Remarks:
WARRANTY DEED ATTACHED.
D/ & S/ FILED UNDER A71-04055A.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576
Ident. Number A71-04055B
Date Received
Receipt Number 5010898 see

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 9 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) FEN H. & NOLA C. COVINGTON Phone (208) 733-1793

Mailing Address 1863 ALTURAS DRIVE, TWIN FALLS, IDAHO Zip 83301

2. Date of Priority (Only one (1) per claim) MAY 15, 1921

3. Source of water supply (a) GOAT CREEK
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 10 NORTH Range 13 EAST Section 8,
SW 1/4 of SE 1/4 of W1/4, Govt. Lot, B.M., County of CLUSTER

Additional points of diversion if any:

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

Township 10 N Range 13 E Section 8, SW 1/4 of SE 1/4 of W1/4

Govt. Lot B.M., County of CLUSTER

ending point is: Township 10 N Range 13 E Section 8, SW 1/4 of SE 1/4 of
W1/4, Govt. Lot B.M., County of CLUSTER

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. FROM GOAT CREEK WITH
PORTABLE PUMP AND SINCH PIPELINE, FOR IRRIGATION.

(FOR DOMESTIC, 57 FT. WELL WITH PUMP, ALSO SPRING SOURCE AT SURFACE.

FOR STOCK, FROM GOAT CREEK. DOMESTIC AND STOCK FILED FOR
ON SEPERATE SRBA CLAIM.)

MICROFILMED

MAR 17 1993

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from MAY 1 to SEPT. 30 amount .06 cfs or _____

For ~~DOMESTIC~~ ^{*} purposes from ~~MAY 1~~ to ~~NOV 1~~ amount ~~.04 cfs~~ or _____

For ~~STOCK WATER~~ ^{*} purposes from ~~MAY 1~~ to ~~NOV 1~~ amount ~~.0044 cfs~~ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .1044 cfs ^{*} (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .1044 cfs ^{*} 6 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC AND STOCK FILED FOR ON SEPARATE SRBA CLAIM.

10. Description of place of use: DOMESTIC FOR ONE FAMILY HOUSE AND WATERING OF YARD ADJACENT TO THE HOUSE. UP TO 20 CATTLE HAVE BEEN PASTURED AND WATERED ON THE PREMISES.

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	
10N	13E	8															D, S 3		3

Total number of acres irrigated 3

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

12. Do you own the property listed above as place of use? Yes X 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.
_____ or None (X)

14. Remarks: SEE COPY OF ATTACHED WARRANTY DEED TO FEN H. AND NOLA C. COVINGTON, HUSBAND AND WIFE, AS GRANTEES, THE ORIGINAL OF WHICH WAS FILED FOR RECORD AT 4:00 p.m., AUGUST 11, 1971, AS INSTRUMENT NO. 131604, RECORDS OF CLUSTER COUNTY, IDAHO, WHICH DEED IS ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.
DOMESTIC AND STOCK WATER FILED FOR ON SEPARATE SRBA CLAIM.

MICROFILMED

Last Name _____ Ident No. _____

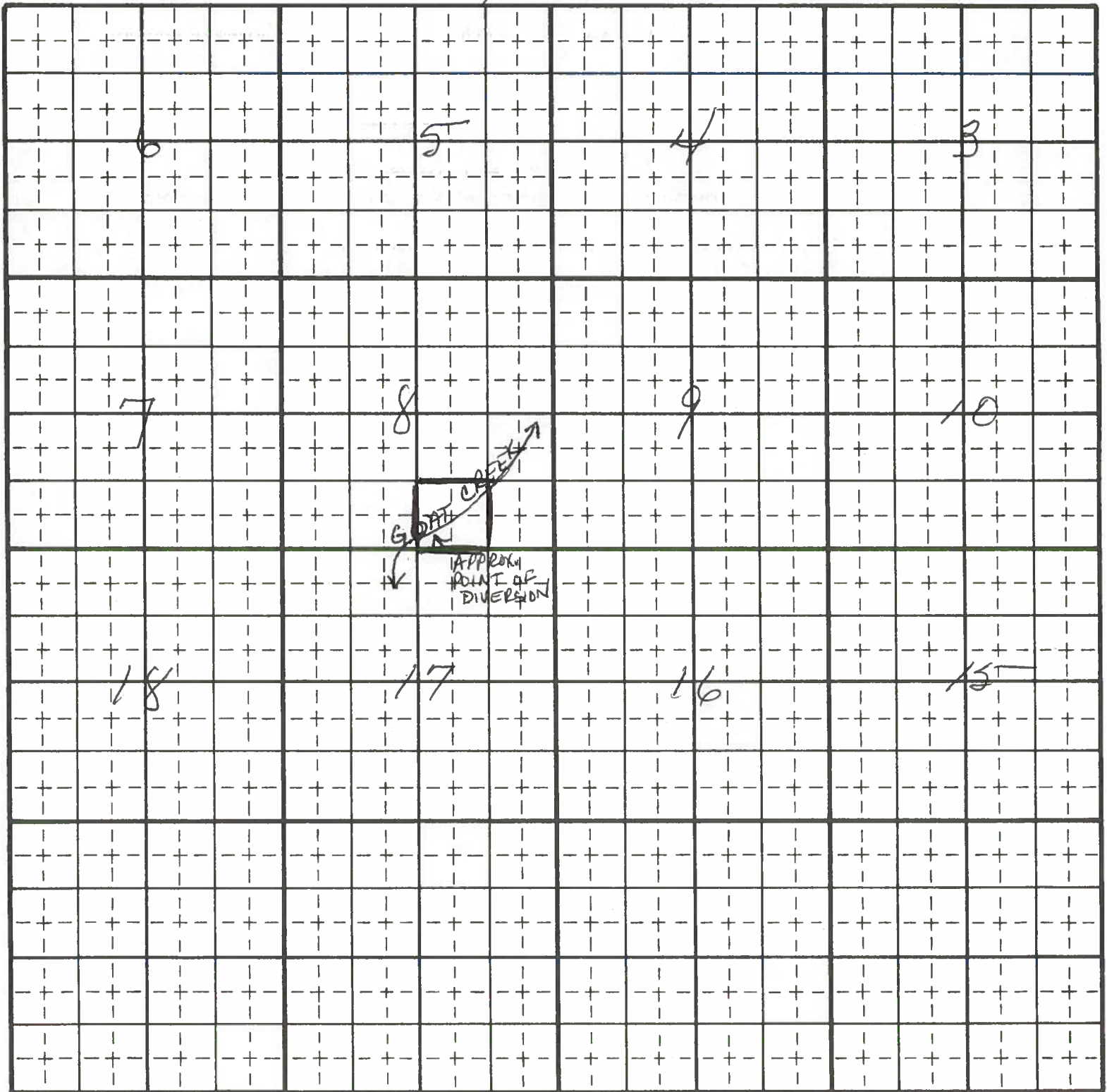
Copies: White State Yellow-Claimant

MAR 17 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T 10 N, R 13 E



MICROFILMED

MAR 17 1993

Last Name _____ Ident No. _____

Copies: White State, Yellow Garmant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 71-4055
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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

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

Signature of Claimant (s) F. H. Covington MU Date Jan. 8/90

Nola C. Covington Date Jan 8/90

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

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

SEAL

Notary Public Sherry L. Cole

Residing at Twin Falls, Idaho

My Commission Expires 3/19/92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, F. BRUCE COVINGTON 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 A Bruce Covington
NELSON, RUSHOLT, ROBERTSON, TOLMAN & TUCKER

Address P.O. Box 1906

Date TWIN FALLS, IDAHO 83303
JAN. 5, 1990

Last Name _____ Ident. Number _____

MICROFILMED

COPIES: White-State, Yellow-Claimant
MAR 17 1993

WARRANTY DEED

For Value Received R. C. COOPER and PATRICIA COOPER, husband and wife, of Boise, County of Ada, State of Idaho,

the grantors, do hereby grant, bargain, sell and convey unto FEN H. COVINGTON and NOLA C. COVINGTON, husband and wife, of Twin Falls, County of Twin Falls, State of Idaho,

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

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 10 North, Range 13 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Commencing at the South quarter corner of said Section 8; thence North 44° 24' East 539.3 feet; thence North 32° 00' East 509.7 feet to the North-easterly corner of the land described in that certain Warranty Deed to Norman Tarter, recorded August 17, 1970, as Instrument No. 129110, Official Records of Custer County, Idaho, the TRUE POINT OF BEGINNING; thence continuing North 32° 00' East 592.5 feet to a point on the Northerly boundary line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence South 89° 55' West along said Northerly boundary line 821.4 feet to a point in the center of Goat Creek; thence meandering the center of said Goat Creek in a Southwesterly direction 237 feet, more or less to the Northwestern corner of said Tarter land; thence South 59° 56' East along the Northeasterly boundary line of said Tarter land 649 feet, more or less to the point of beginning.

TOGETHER With all water and water rights, ditch and ditch rights appurtenant thereto or used in connection therewith.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 6, 1971.

Patricia Cooper
R. C. Cooper



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

Jan. 10, 1990

Re: A71-04055B
A71-04055A

NOLA COVINGTON
1863 ALTURAS DR
TWIN FALLS ID 83301

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A71-04055B
F. BRUCE COVINGTON
P.O. BOX 1906

TWIN FALLS

ID 83303-1906

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **May 1, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 17 1993

RECEIVED

APR 29 1992

Department of Water Resources
Southern Region Office

AFFIDAVIT

STATE OF IDAHO)
)
County of Twin Falls)

COMES NOW Fen H. Covington, and after first being sworn, upon oath deposes and says as follows:

1. That my wife, Nola C. Covington, and I are the owners of the real property described in that warranty deed dated August 6, 1971, a copy of which is attached hereto as Exhibit "A", which is incorporated herein by this reference.

2. That my wife and I have continuously owned said real property since that date, to the present.

3. That Goat Creek runs through said real property, and that I have irrigated portions of approximately three acres of said real property by use of a small pump and portable hoses or pipelines each year off and on for the past five or six years, to produce grass and to keep the ground and vegetation from getting to dry and causing a fire danger. Prior to that time, since I have owned the real property, from time to time water has been diverted from Goat Creek by myself or neighbors across my property, or parts thereof, to allow grass to grow. Cattle have pastured on the area during that time, as recently as two years ago.

4. I do not have records which predate my ownership of the real property. However when I purchased the land, I was told by the realtor who listed the parcel that my property had been part of a ranch which had been established many years before, and that Goat Creek had been diverted across my property for use in pasturing cattle on the land by prior ranch owners since the ranch began. At the time I purchased the land, cattle were pasturing on my parcel, and ditches and channels diverted water from Goat Creek across my property.

5. I was told that my land had been homesteaded for farming or ranching in the early 1920s, and evidence of the homestead still existed when I acquired the land and built a home there, including the remains of a log house and outbuildings, with some early equipment and implements left on the premises, including old automobile parts, some having the manufacture dates in the 1920s stamped on them.

Affidavit of Fen H. Covington
Page 2

6. Based upon the foregoing, I believe the initial priority date of beneficial use to be in the 1920s, as early as May 15, 1920. I acquired the water rights to my parcel at the time I purchased the same in 1971.

Further your affiant sayeth naught.

Dated this 29 day of April, 1992.

Fen H. Covington
Fen H. Covington

Subscribed and sworn to before me, a Notary Public in and for the State of Idaho, this 29th day of April, 1992.

Sherry L. Call
Notary Public for Idaho

Residing at: Julia Falls Id
My commission expires: 5/19/98

SD-33	Last Name: COVINGTON					STATE	
S	First	O	Water	Priority		Total	Use
E	Name	W	Right No.	Date	Source	Diversion	Code Desc
L		N					
-	COVINGTON	-	-	-	-	-	-
-	NOLA C.	O	A71-04055	05/15/1921	GOAT CREEK	0.064	01 IRR
-					SPLIT RIGHT		04 STOCK
-	FEN H.	O	A71-04055	05/15/1921	GOAT CREEK	0.064	01 IRR
-					SPLIT RIGHT		04 STOCK
-	FEN H.	C	A71-04055A	05/15/1921	GOAT CREEK	0.044	04 STOCK
-							43 DOMEST
-	NOLA C.	C	A71-04055A	05/15/1921	GOAT CREEK	0.044	04 STOCK
-							43 DOMEST
-	NOLA C.	C	A71-04055B	05/15/1921	GOAT CREEK	0.060	01 IRR
-	FEN H.	C	A71-04055B	05/15/1921	GOAT CREEK	0.060	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

RECEIVED

APR 29 1992

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 17 1993

July 22, 1998

RECEIVED

AUG 10 1998

Department of Water Resources
Southern Region

**NOTICE OF ERROR
REPLY**

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

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: August 14, 1998

Water right number: 71-04055B

ROGER A BROWNING
KATHERINE ANIXTER BROWNING
360 NORTH BEDFORD DRIVE
BEVERLY HILLS CA 90210-5157

Daytime Telephone Number:

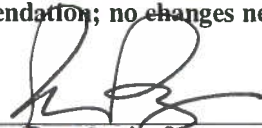
Evening Telephone Number:

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

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

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

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

DATE: 7/31/98 SIGNATURE: 
Please print your name: ROGER A. BROWNING; KATHERINE ANIXTER BROWNING

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—

Water Right Number - R71-04055B

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BROWNING

ROGER A

1 - 360 NORTH BEDFORD DRIVE

12

13

City- BEVERLY HILLS
Phone - 310-275-5100
State- CA Zip- 902105157

BROWNING

KATHERINE ANIXTER

1 - 360 NORTH BEDFORD DRIVE

12

1

City- BEVERLY HILLS
Phone - 310-278-5100
State- CA Zip- 902105157

*** O - ORIGINAL OWNER ***
COVINGTON

F BRUCE

1 - PO BOX 1906

2

13

City- TWIN FALLS
Phone - 208-000-0000
State- ID Zip- 833031906

COVINGTON

NOLA C

1 - 1863 ALTURAS DR

2

3

State- ID Zip- 83301

COVINGTON

FEN H

1 - 1863 ALTURAS DR

2

13

State- ID Zip- 83301

+ - - Priority Date	- - +	+ - - Region	- - +	+ - - Stage	- - +	+ - - Status
		17 SOUTHERN		J - BENEFICIAL USE		
	01/17/1940					

+ - - - - Source - - - - - +
 GOAT CREEK
 + - - - - Tributary - - - - - +
 SALMON RIVER

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

10N	13F	8	SF	SF	SW	(37)	CUSTER
-----	-----	---	----	----	----	------	--------

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

01 - IRRIGATION	05/01	10/31
01 - IRRIGATION	05/01	10/31

+ - Total Div. Rate	+ - Total Div. Volume	+ - Total Consumptive Use	+ - KW Usage
0.060		0.0	

Water right number - R71-040558 Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
10N	13E	8	SW SE	2.1	01	IRRIGATION	(37) CUSTER	

Total Acres: 2.1

Diversion Means ~~PUMP, PIPELINE~~ *Df 1/17/98*

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

EXP RIGHT NOS. 71-10144, 71-10854 & 71-040558 ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

A7104055 Old Water Right Numbers

Conditions of Approval -
No Conditions of Approval found.

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

Date: 07/17/1998 User Id: DJONES Subject: COPIED FROM REMARKS D/ & S/ FILED UNDER A71-04055A.
WARRANTY DEED ATTACHED.
OWNERSHIP CHANGED 9/25/95 BY TLB. BOTH SIGNATURES ON FORM.

Audit Fields - 07/17/98 DJONES

Adjudication Rights Dates and Flags Area									
Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576	
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-		
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/D0000	Old Judicial District	-		
Claim Received Date	-	01/09/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P	
			Receipt Number	-	S010898	Water District	-		
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S	
			Name Connector	-	AND	Presumption Flag	-		
				-	AND	Notice of Error Flag	-		

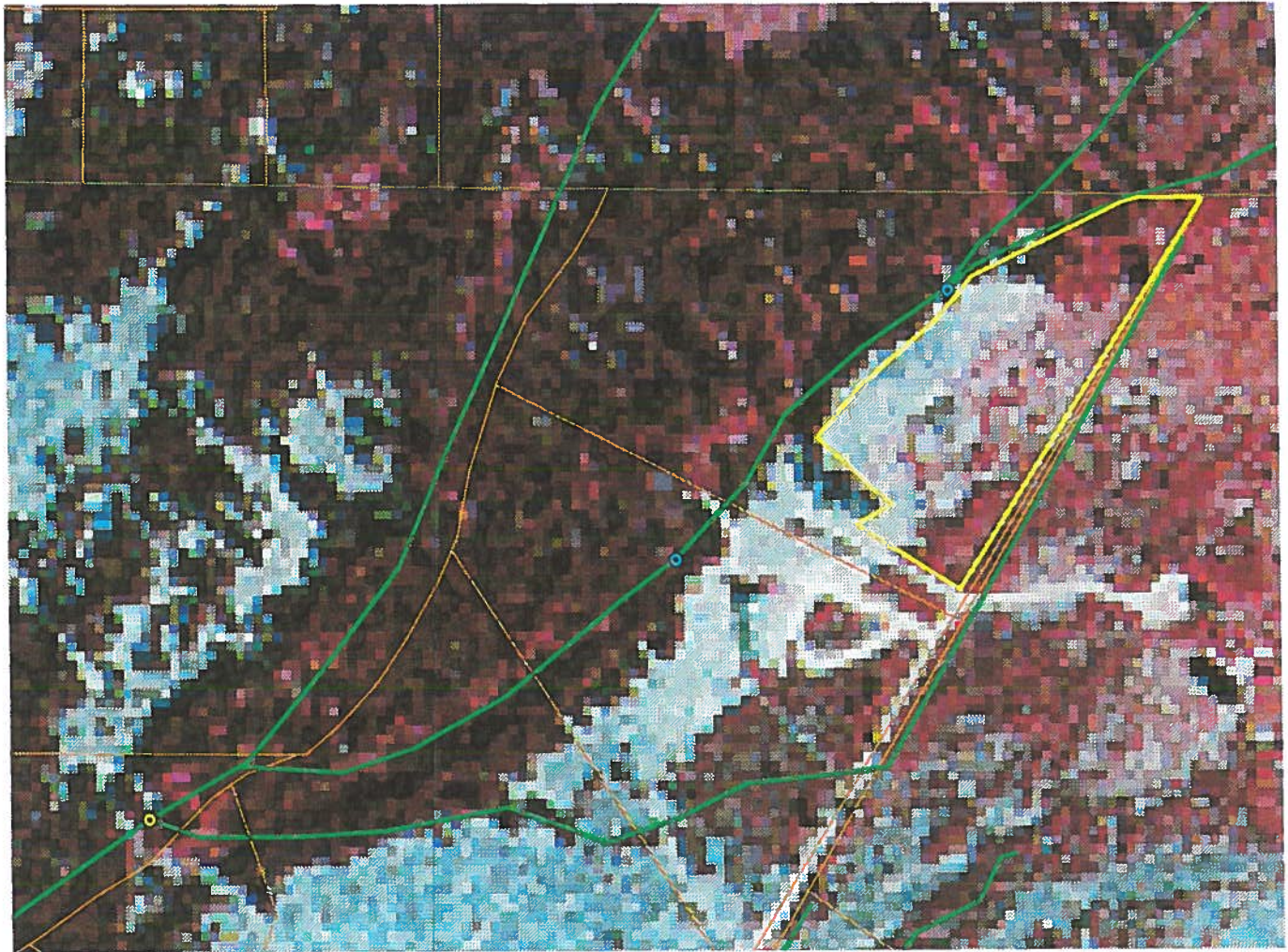
GEOGRAPHIC INFO ACRES 2.1

AGENT 22

B71-DBPOU.DBF

IDAHO DEPARTMENT OF WATER RESOURCES

71-04055B

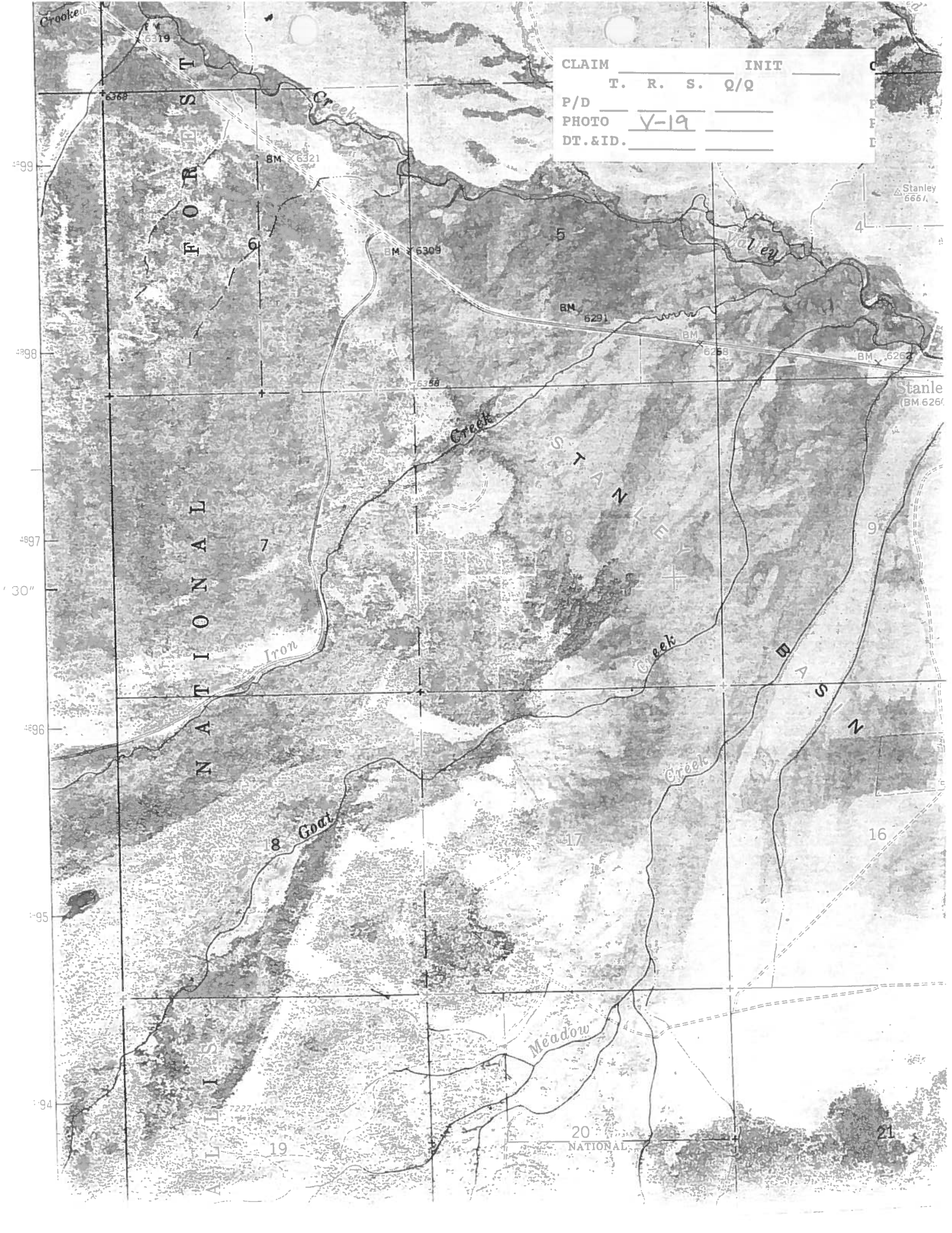


330 0 330 660 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  STREAMS AND DITCHES
-  SECTION LINES
-  QUARTER/QUARTER LINES
-  TAX LOT (PROPERTY) LINES



GIS REPRESENTATION OF CLAIM RECOMMENDATION
1987 NAPP PHOTOGRAPHY
DATA ENTRY BY: DOUGLAS JONES
DATA ENTERED: 7/8/97



CLAIM	INIT
T. R. S. Q/Q	
P/D	
PHOTO	V-19
DT.&ID.	

