

RECEIVED

JAN 15 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00246
Date Received: 1/ 4/1990
Receipt No: S010832
Received By: SCC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GERALD D HERRICK 208-336-8719
Address: 2027 SILVER CREEK LANE
BOISE ID 83706

AND/OR

Name: KATHRYN S HERRICK 208-336-8719
Address: 2027 SILVER CREEK LANE
BOISE ID 83706

2. Date of Priority: APR 1, 1880

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	18E	35	SE	NW	SE		CUSTER

5. Description of diverting works:
DIVERSION FROM CREEK, DITCH & PIPE LINE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.860		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

COPY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	1	NW	NW	4	IRR	14.0
						Section Acres	14.0
		2	NE	NE	1	IRR	17.0
			SE	NE	5	IRR	1.7
						Section Acres	18.7
12N	18E	35	SE	NE	3	IRR	2.0
			NE	SE		IRR	0.4
			SE	SE		IRR	7.4
						Section Acres	9.8
		36	SW	NW	5	IRR	6.6
			NW	SW	5	IRR	16.0
			SW	SW	6	IRR	16.9
						Section Acres	39.5
						Total Acres	82.0

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:
72-0247

14. Remarks:
OWNERSHIP CHANGE 3/10/92 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

RICHARD GRAHAM

Decree Plaintiff

ANDREA GINI

vs Decree 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: _____

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): Kathryn L. Dennis Date: 1-13-99

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of JANUARY 1999
Joyce L. Lambeth
Notary Public

Residing at Mountain Home, Idaho
My Commission Expires 11/10/2000

17. Notice of Appearance:
Notice is hereby given that I, MURRAY FELDMAN will be
Print Name
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 Murray Feldman
Address HOLLAND & HART LLP
P.O. BOX 2527
Date BOISE ID 83701
1/13/99

HOLLAND & HART ^{LLP}
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

Murray D. Feldman
mfeldman@hollandhart.com

January 13, 1999

Steve Clelland
Senior Water Resource Agent
Idaho Department of Water Resources
Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RECEIVED

JAN 15 1999

Department of Water Resources
Southern Region

Re: Herrick Amended SRBA Claims

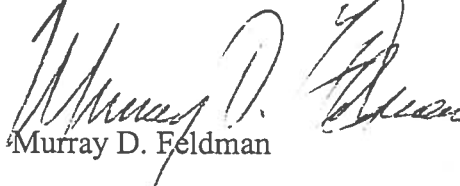
Dear Mr. Clelland:

I enclose the signed and notarized amended claim forms for the Herrick claims 72-00244A, -00245, -00246 and -00247. I also enclose a check for the additional fees due for the amendments in the amount of \$32.00.

If you have any questions about these amended claim forms or require additional information, please let me know.

Sincerely,

HOLLAND & HART ^{LLP}


Murray D. Feldman

MDF:cd
Enclosures
Boise:0100065.01/29727.1799



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

February 8, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**MURRAY D FELDMAN
HOLLAND & HART LLP
PO BOX 2527
BOISE ID 83701-2527**

RE: Amended SRBA Claims 72-00244A, 72-00245, 72-00246 & 72-00247

Dear Mr. Feldman,

Enclosed is the receipt for the amendment of the above referenced claims by Herrick. As you may already know, I included the amended record in the final Director's Report currently being mailed out.

Please feel free to contact this office or me if you have further questions or need additional assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Clelland'.

**STEVE CLELLAND
Sr. Water Resource Agent**

enc:



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

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

January 8, 1999

MURRAY FELDMAN
HOLLAND & HART
PO BOX 2527
BOISE ID 83701

RE: HERRICK SRBA CLAIMS AMENDED

DEAR MR. FELDMAN,

Enclosed you will find the amended claims for the Herrick claims 72-00244A, -00245, -00246 & -00247. Please have the claims signed and notarized and returned to me as soon as possible. I apologize for getting these to you later than I indicated in our last phone conversation but I think we can still get everything in order to meet the printing of the final Director's Report next week.

Please remember to include the additional fees due for the amendments. Total due is \$32.00.

Please feel free to contact me as needed for any questions you may have concerning these recommendations.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

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: A72-00246
Date Received: 1/ 4/1990
Receipt No: S010832
Received By: _____

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

1. Name: GERALD D HERRICK 208-336-8719
Address: 2027 SILVER CREEK LANE
BOISE ID 83706

AND/OR

Name: KATHRYN S HERRICK 208-336-8719
Address: 2027 SILVER CREEK LANE
BOISE ID 83706

2. Date of Priority: APR 1, 1880

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	18E	35	SE	NW	SE		CUSTER

5. Description of diverting works:
DIVERSION FROM CREEK, DITCH & PIPE LINE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.860		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	1	NW	NW	4	IRR	11.0
						Section Acres	11.0
		2	NE	NE	1	IRR	21.0
						Section Acres	21.0
12N	18E	35	SE	SE		IRR	7.5
						Section Acres	7.5
		36	SW	NW	5	IRR	4.5
			NW	SW	5	IRR	16.0
			SW	SW	6	IRR	2.0
						Section Acres	22.5
						Total Acres	62.0

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:
72-0247

14. Remarks:
OWNERSHIP CHANGE 3/10/92 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

RICHARD GRAHAM
Decree Plaintiff

ANDREA GINI
vs Decree Defendant

NOTICE : CHANGE OF ADDRESS

Gerald D. and Kathryn S. Herrick have moved..... effective February 1, 1994.
The new address is...

**2027 SILVER CREEK LN.
BOISE, IDAHO 83706**

RECEIVED

JAN 30 1995

**Department of Water Resources
Southern Region**

RE: CHANGE OF OWNERSHIP SRBA CLAIM NOS. A72-04010, A72-04011, A72-04012, A72-04013, A72-04014, A72-04015, A72-04016, A72-04017, A72-04018, A72-04019, A72-04020, A72-04021, A72-04022, A72-04023, A72-04024, A72-04025, A72-04026, A72-04027, A72-04028, A72-04029, A72-04030, A72-04031, A72-04032, A72-04033, A72-04034, A72-04035, A72-04036, A72-04037, A72-04038, A72-04039, A72-04040, A72-04041, A72-04042, A72-04043, A72-04044, A72-04045, A72-04046, A72-04047, A72-04048, A72-04049, A72-04050, A72-04051, A72-04052, A72-04053, A72-04054, A72-04055, A72-04056, A72-04057, A72-04058, A72-04059, A72-04060, A72-04061, A72-04062, A72-04063, A72-04064, A72-04065, A72-04066, A72-04067, A72-04068, A72-04069, A72-04070, A72-04071, A72-10223 & A72-10224

DEAR MR. & MRS. HERRICK,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as you requested. Please find enclosed a copy of your adjudication claims, as they now appear in our records.

If you have any further corrections or questions please contact our office.

Sincerely,



STEVE CLELLAND
Water Resource Agent

ENC:

1-27-95

THANKS STEVE...

NOTE UHA NEW ADDRESS !!

RECEIVED

JAN 30 1995

**Department of Water Resources
Southern Region**

A Herrick

A72-00246

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

1. Name: GERALD D. HERRICK 208-336-8719
Address: 2170 E. GOSSAMER LN.
BOISE ID 83706

AND/OR

Name: KATHRYN S. HERRICK 208-336-8719
Address: 2170 E. GOSSAMER LN.
BOISE ID 83706

2. Date of Priority: APR 1, 1880

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.860		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	1	NW	NW	4	IRR	11.0
						Section Acres	11.0
		2	NE	NE	1	IRR	21.0
						Section Acres	21.0
12N	18E	35	SE	SE		IRR	7.5
						Section Acres	7.5
		36	SW	NW	5	IRR	4.5
			NW	SW	5	IRR	16.0
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14. Remarks:
OWNERSHIP CHANGE 3/10/92 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

RICHARD GRAHAM
Decree Plaintiff

ANDREA GINI
vs Decree 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: _____

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 _____

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D. C.

SUITE 1400
WEST ONE PLAZA
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

Murray D. Feldman

March 2, 1992

RECEIVED
MAR 3 1992

Department of Water Resources

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720-9000

RECEIVED

MAR 05 1992

Attn: Adjudication Bureau

Department of Water Resources
Southern Region Office

Re: Notice of Change of Water Right Ownership

Dear Adjudication Bureau:

Enclosed please find two Notice of Change of Water Right Ownership forms covering Water Right Nos. A72-0244A, A72-0245, A72-00246, A72-00247, A72-02035, A72-04089, A72-04090, A72-07170, A72-10378, A72-10372, and A72-10367.

As indicated on the enclosed form, the new owners and claimants of these rights are Gerald and Kathryn Herrick by virtue of their purchase of the property to which the rights are appurtenant, as evidenced by the enclosed Warranty Deed.

Please contact me if you have any questions about these Notice of Change of Water Right Ownership forms.

Sincerely,

HOLLAND & HART

Murray D. Feldman
Murray D. Feldman

MDF:cd

Enclosures

cc: Mr. Gerald Herrick
Mr. Jed Morrison

MICROFILMED

MAR 18 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: Aug. 26, 1991

RECEIVED
MAR 07 1992
Department of Water Resources
Southern Region Office

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.

See attached legal description 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) A72-0244A, A72-0245, A72-00246, A72-00247,
Assigned by IDWR: A72-02035, A72-04089, A72-04090, A72-07170
- [] Name and Address of Former Owner/Claimant(s)(Seller): Mildred M. (Carlisle) Cowart
c/o Jed Morrison, Trust Officer
First Interstate Bank of Arizona
P.O. Box 350
Tucson, AZ 85702
- [] New Owner/Claimant (Purchaser): Gerald D. Herrick and Kathryn S. Herrick
- [] New Mailing Address: 2170 E. Gossamer Ln.
Boise, ID 83706
- [] New Telephone Number: (208) 336-8719
- [] 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 for property listed above.

(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.)

- [x] Signature of New Owner/Claimant(s) Gerald D. Herrick Date 2-24-92
Kathryn S. Herrick Date 2-24-92
- [] 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: 3/9/92 By: LC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 3/9/92 By: LC

Claim Numbers of Split, if any:

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

MICROFILMED

MAR 18 1993

COPY

RECEIVED

WARRANTY DEED

MAR 05 1997

Department of Water Resources

For value received, GERALD MARTIN and SHARON L. MARTIN, husband and wife; BARBARA CURBY, a single woman; DORIS LONG, a single woman; JAMES B. MARTIN, a single man; and ROBERT C. MARTIN and MONIE MARTIN, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto GERALD D. HERRICK and KATHRYN S. HERRICK, husband and wife whose address is 2170 East Gossamer, Boise, Idaho, the Grantees, the following described premises, to-wit:

TRACT I: Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho

Section 1: Lot 4

Section 2: Lots 1, 7 and 8

Township 12 North, Range 18 East, Boise Meridian, Custer County, Idaho

Section 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

Section 36: Lots 5 and 6

TRACT II: Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho

Section 11: Lots 6 and 7

Section 14: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 3 and 4

including all water rights appurtenant thereto.

TO HAVE AND TO HOLD the 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 said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 26, 1991

GRANTORS:

Gerald Martin
GERALD MARTIN

RECEIVED

MAR 05 1992

Department of Motor Vehicles
Notary Public Office

**COPY
NOT TO BE RECORDED**

Sharon L. Martin
SHARON L. MARTIN

Barbara Curby
BARBARA CURBY

Doris Long
DORIS LONG

James B. Martin
JAMES B. MARTIN

Robert C. Martin
ROBERT C. MARTIN

Monie Martin
MONIE MARTIN

STATE OF Florida)
County of _____) ss.

On this _____ day of _____, 1991, before me,
_____, a notary public for said State,
personally appeared GERALD D. HERRICK and KATHRYN S. HERRICK,
known or identified to me to be the persons who executed the
instrument, and acknowledged to me that they 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
Residing at: _____
My Commission Expires: _____

STATE OF Florida)
County of Polk) : ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared GERALD MARTIN and SHARON L. MARTIN, known or
identified to me to be the persons who executed the instrument,
and acknowledged to me that they 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.

Elaine Rhoades
Notary Public
Residing at: Haines City, FL.
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: MAR. 21. 1992.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF Florida)
County of Polk) : ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared BARBARA CURBY, known or identified to me to
be the person who executed the instrument, and acknowledged to me
that she 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.

Elaine Rhoades
Notary Public
Residing at: Haines City, FL.
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: MAR. 21. 1992.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF Florida)
County of Polk) : ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared DORIS LONG, known or identified to me to be
the person who executed the instrument, and acknowledged to me
that she 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.

Elaine Rhoades
Notary Public
Residing at: Haines City, FL.
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: MAR. 21, 1992.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF Florida)
County of Polk) : ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared JAMES B. MARTIN, known or identified to me to
be the person who executed the instrument, 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 in this certificate first above
written.

Elaine Rhoades
Notary Public
Residing at: Haines City, FL.
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: MAR. 21, 1992.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF Florida)
County of Polk) ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared ROBERT C. MARTIN and MONIE MARTIN, known or
identified to me to be the persons who executed the instrument,
and acknowledged to me that they 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.

Elaine Rhoades
Notary Public
Residing at: Gaines City, FL.
My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: MAR. 21, 1992
BONDED THRU NOTARY PUBLIC UNDERWRITERS

14933

LEGAL DESCRIPTION OF PROPERTY

New Owners/Claimants: Gerald D. Herrick and Kathryn S. Herrick

TRACT I: Township 11 North, Range 18 East, Boise Meridian,
Custer County, Idaho

Section 1: Lot 4

Section 2: Lots 1, 7 and 8

Township 12 North, Range 18 East, Boise Meridian,
Custer County, Idaho

Section 35: $SE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$

Section 36: Lots 5 and 6

TRACT II: Township 11 North, Range 18 East, Boise Meridian,
Custer County, Idaho

Section 11: Lots 6 and 7

Section 14: $NW\frac{1}{4}NW\frac{1}{4}$, Lots 2, 3 and 4

18252

MICROFILMED

MAR 18 1993

SD-33	Last Name: COWART					STATE	
S	First	O	Water	Priority		Total	Use
E	Name	W	Right No.	Date	Source	Diversion	Code Des
L		N					
-	COWART						
-	MILDRED M.	(C C	A72-00244A	03/01/1884	LYON CREEK	1.250	01 IRR
-	MILDRED M.	(C C	A72-00245	04/01/1884	LYON CREEK	1.250	01 IRR
-	MILDRED M.	(C C	A72-00246	04/01/1880	LYON CREEK	1.860	01 IRR
-	MILDRED M.	(C C	A72-00247	04/01/1884	LYON CREEK	1.860	01 IRR
-	MILDRED M.	(C C	A72-02035	09/18/1912	SALMON RIVE	0.400	01 IRR
-	MILDRED M.	(C C	A72-04089	05/01/1902	SALMON RIVE	9.000	01 IRR
-					BIRCH CREEK		04 STOCK
-	MILDRED M.	(C C	A72-04090	04/01/1902	SINK CREEK	1.000	01 IRR
-							04 STOCK
-	MILDRED M.	(C C	A72-07170	12/22/1981	SALMON RIVE	0.680	01 IRR

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
 (Enter=Continue) (GOLD7=This Query)

(Menu _____)

MICROFILMED
 MAR 18 1993

SD-0604-2 Township: 11N Range: 18E Section: 1			Tract:		Lot:	
S	L	STATE	O	S	Max # Records	14
E	O	Name	W	T	Priority	Use
L	Tract	Water Right No.	N	AC	Date	Code Desc
T		Last, First				
NWNW	4	A72-00246	O	11	D	04/01/1880 01 IRR
NWNW	4	A72-00247	O	11	D	04/01/1884 01 IRR
SWNW		A72-04046	C	20	S	05/01/1916 01 IRR
SWNW		A72-10058	C		J	04/03/1977 43 DOMES
SWNW		A72-10058	C		J	04/03/1977 43 DOMES
SWNW	5	A72-04018	C	20	S	12/19/1900 01 IRR
SWNW	5	A72-10224	C		J	07/01/1935 43 DOMES
						04 STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
MAR 18 1993

SD-0604-2 Township: 11N		Range: 18E		Section: 2		Tract:		Lot:	
S	L	STATE		O	S	Max #	Records	9	
E	O	Name		W	T	Priority	Use		
L	Tract	T	Water Right No.	Last, First	N	AC	G	Date	Code Desc
---	---	---	---	---	---	---	---	---	---
---	NENE	1	A72-00246	GINI, ANDREA	O	21	D	04/01/1880	01 IRR
---	NENE	1	A72-00247	COWART, MILDRED M. (CAR	C				
---	NENE	1	A72-00247	GINI, ANDREA	O	21	D	04/01/1884	01 IRR
---	NENE	1	A72-00247	COWART, MILDRED M. (CAR	C				
---	SENE		A72-04046	MARAFFIO, FRANK	C	8	S	05/01/1916	01 IRR
---	SENE		A72-04046	MARAFFIO, BETTY L.	C				
---	SENE		A72-04046	J. P. RANCH, INC.	C				
---	NESE		A72-04046	MARAFFIO, FRANK	C	8	S	05/01/1916	01 IRR
---	NESE		A72-04046	MARAFFIO, BETTY L.	C				
---	NESE		A72-04046	J. P. RANCH, INC.	C				
---	NESE	7	A72-02035	GINI, ANNA	O	10	L	09/18/1912	01 IRR
---	NESE	7	A72-02035	COWART, MILDRED M. (CAR	C				
---	SESE		A72-04046	MARAFFIO, FRANK	C	10	S	05/01/1916	01 IRR
---	SESE		A72-04046	MARAFFIO, BETTY L.	C				
---	SESE		A72-04046	J. P. RANCH, INC.	C				
---	SESE		A72-07071	J. P. RANCH, INC.	C		L	11/16/1978	04 STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 18 1993

SD-0604-2 Township: 12N Range: 18E Section: 35				Tract:		Lot:				
S	L	Water	Name	O	S	Max # Records	1			
E	O			W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Des
-	-	-	-	-	-	-	-	-	-	-
-	NWSE		A72-00245	COWART, MILDRED M. (CAR	C	13	D	04/01/1884	01	IRR
-	SESE		A72-00246	GRAHAM, RICHARD	O					
-	SESE		A72-00246	GINI, ANDREA	O	7	D	04/01/1880	01	IRR
-	SESE		A72-00247	COWART, MILDRED M. (CAR	C					
-	SESE		A72-00247	GINI, ANDREA	O	7	D	04/01/1884	01	IRR
-	SESE		A72-10367	COWART, MILDRED M. (CAR	C					
-	SESE		A72-10367	ARIZONA, N.A., 1ST INT	C		J	10/01/1960	43	DOME
-	SESE		A72-10367	ARIZONA, N.A., 1ST INT	C		J	10/01/1960	43	STOC
-	SESE		A72-10372	ARIZONA, N.A., 1ST INT	C		J	10/01/1960	43	DOME
-	SESE		A72-10372	ARIZONA, N.A., 1ST INT	C		J	10/01/1960	43	STOC
-	SESE		A72-10372	ARIZONA, N.A., 1ST INT	C		J	10/01/1960	43	DOME
-									04	STOC
-										
-										

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 18 1993

SD-0604-2 Township: 12N Range: 18E Section: 36		Tract:		Lot:				
S	L	Water	Name	O	S	Max # Records	17	
E	O			W	T	Priority	Use	
L	Tract	Right No.	Last, First	N	AC	G	Date	Code Desc
---	---	-----	-----	---	---	---	---	-----
---	SWNW	3	A72-04169	KNOX, WILLIAM L.	C	2	S	06/01/1964 04 STOCK
---	SWNW	3	A72-04169	KNOX, LAWANA G.	C		S	06/01/1964 01 IRR
---				KNOX, WILLIAM L.	C			04 STOCK
---	SWNW	3	A72-10053	KNOX, WILLIAM L.	C		J	06/28/1962 43 DOMES
---				KNOX, LAWANA G.	C			04 STOCK
---	SWNW	3	A72-10053	KNOX, WILLIAM L.	C		J	06/28/1962 43 DOMES
---				KNOX, LAWANA G.	C			04 STOCK
---	SWNW	5	A72-00246	GINI, ANDREA	O	4	D	04/01/1880 01 IRR
---				COWART, MILDRED M. (CAR	C			
---	SWNW	5	A72-00247	GINI, ANDREA	O	4	D	04/01/1884 01 IRR
---				COWART, MILDRED M. (CAR	C			
---	NWSW	5	A72-00246	GINI, ANDREA	O	16	D	04/01/1880 01 IRR
---				COWART, MILDRED M. (CAR	C			
---	NWSW	5	A72-00247	GINI, ANDREA	O	16	D	04/01/1884 01 IRR
---				COWART, MILDRED M. (CAR	C			
---	SWSW	6	A72-00246	GINI, ANDREA	O	2	D	04/01/1880 01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
MAR 18 1993

SD-0604-2 Township: 12N Range: 18E Section: 36				Tract:		Lot:					
S	L	STATE	O	S	Max #	Records	1				
E	O	Water	W	T	Priority	Use					
L	Tract	T	Right No.	Name	Last, First	N	AC	G	Date	Code	Des
-	-	-	-	-	-	-	-	-	-	-	-
-	SWSW	6	A72-00246	COWART, MILDRED M.	(CAR	C	2	D	04/01/1880		
-	SWSW	6	A72-00247	GINI, ANDREA		O	2	D	04/01/1884	01	IRR
-				COWART, MILDRED M.	(CAR	C					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 1 8 1993

ACTION REQUIRED

FROM: Judy - Adj. Sec.

TO: Files: A72-0244A, A72-0245, A72-00246, A72-00247

A72-02035, A72-04089, A72-04090, A72-07170, A72-10378, A72-10372, A72-10367

March 10, 1992, I called Mr. Feldman concerning the above-referenced files for Change of Ownership. The Warranty Deed is not in the names of FIRST INTERSTATE BANK OF ARIZONA TRUSTEE OF MILDRED COWART TRUST signed by Mr. Jed Morrison. He said he would check into the matter and get back with me.

MICROFILMED

MAR 18 1993

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D.C.

SUITE 1400
WEST ONE PLAZA
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

Murray D. Feldman

March 10, 1992

RECEIVED

MAR 12 1992

Department of Water Resources
Southern Region

**Idaho Department of Water Resources
Southern Region
2148 Fourth Avenue East
Twin Falls, ID 83301**

Attn: Judy

**Re: Notice of Change of Water Right Ownership for
Gerald and Kathryn Herrick**

Dear Judy:

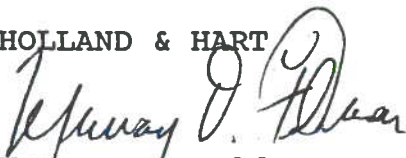
As discussed in our telephone conversation today, enclosed is a copy of a warranty deed documenting the transfer of the property currently owned by the Herricks from the Mildred M. Cowart Trust to Gerald and Sharon Martin, Barbara Curby, Doris Long, James Martin, and Monie and Robert Martin.

The Martins, et al., were the grantors listed on the warranty deed granting the Custer County property to the Herricks which was previously submitted to Water Resources as evidence of the change in water rights ownership for Water Right Nos. A72-02448, A72-0245, A72-00246, A72-00247, A72-02035, A72-04089, A72-04090, A72-07170, A72-10378, A72-10372, and A72-10367.

As we discussed, this should complete the documentation required to complete the change in ownership of the water rights for IDWR's records. Please let me know if you have any questions or need additional information.

Sincerely,

HOLLAND & HART


Murray D. Feldman

MDF:cd
Enclosure

MICROFILMED

MAR 18 1993

ACCEPTANCE OF JOINT TENANCY

STATE OF _____ } ss.
County of _____

Nonie Martin

Robert C. Martin

and _____

each being duly sworn, upon oath, for himself or herself and jointly, but not one for the other, deposes and says:

THAT I am one of the Grantees, Mortgagees or Beneficiaries named in that certain _____ deed and instrument

of Distribution _____

(type of instrument)

which is dated _____

November 29

89

executed by _____

First Interstate Bank of Arizona, Trustee of the Robert C. Martin Trust

dated September 25, 1987

to

Nonie Martin and Robert C. Martin

as joint tenants with right of survivorship and not as a community property estate and not as tenants in common, and

which instrument conveys the following-described property:

Tract #1 (approximately 363.70 acres)

Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 1: Lot 4

Section 2: Lots 1, 7, and 8

Township 12 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 35: SE 1/4 SE 1/4, S 1/4 NW 1/4, N 1/4 SW 1/4

Section 36: Lots 5 and 6.

Tract #2 (approximately 208.71 acres)

Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 11: Lots 6 and 7.

Section 14: NW 1/4 NW 1/4, Lots 2, 3, 4.

With all appurtenances.

THAT each of us individually and jointly asserts and affirms that it is our intention to acquire any interest we may have

in said premises and in any proceeds under the terms of said instrument as joint tenants with right of survivorship and

not as a community property estate and not as tenants in common.

Dated: Dec. 5th, 1989.

Nonie Martin
Nonie Martin

Robert C. Martin
Robert C. Martin

Subscribed, sworn to and acknowledged before me on _____

December 5th, 1989

and _____

Nonie Martin
Robert C. Martin

Michelle Rhodes

Notary Public

My commission will expire:

MAR 18 1993

1944

Witness my hand and official seal, and indexed in DEEDS

Witness my hand and official seal, County Recorder Deputy Recorder

Compared Photostatic Fee

1944-002/RE1006726

SPECIAL WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, First Interstate Bank of Arizona, N.A., Trustee of the Mildred M. Cowart Trust dated September 25, 1987.

hereby conveys to the Grantor, whether one or more than one, conveys to

SEE ATTACHED "EXHIBIT A"

the following real property situated in Custer County, Idaho, together with all rights and privileges

RECEIVED

MAR 12 1988

Department of Water Resources Southern Region Office

Tract #1 (approximately 363.70 acres)
Township 11 North Range 18 East, Boise Meridian, Custer County, Idaho.
Section 1: Lot 4.
Section 2: Lots 1, 7 and 8
Township 12 North Range 18 East, Boise Meridian, Custer County, Idaho.
Section 35: SE 1/4 SE 1/4, S 1/2 NW 1/4, N 1/2 SW 1/4
Section 36: Lots 5 and 6.
Tract #2 (Approximately 208.71 acres)
Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho.
Section 11: Lots 6 and 7.
Section 14: NW 1/4 NW 1/4, Lots 2, 3, 4
with all appurtenances.

STATE OF IDAHO
COUNTY OF CUSTER

194411-

This instrument was filed for record at the request of First Interstate Bank at 1:50 o'clock P.M. June 16, 1990 and duly filed and indexed in the Records of Custer County

ETHEL M. PECK
Ex-Officio Recorder

By Ethel M. Peck Deputy Fees 12.00

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record, Grantor warrants the title only, as to the acts of the Grantor herein.

Dated this 5 day of January, 1990 First Interstate Bank of Arizona, N.A. as Trustee

By Jed Morrison Trust Officer

By Thomas Richey Trust Officer

STATE OF ARIZONA)
Pima) ss
County of Pima)

On this 5 day of January, 1990, before me, the undersigned officer and personally appeared Jed Morrison and Thomas Richey, who acknowledged themselves to be Trust Officer and Trust Officer of FIRST INTERSTATE BANK OF ARIZONA, N.A., a national banking association, and as such officers being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the association.

FILED MAR 18 1990

ACCEPTANCE OF JOINT TENANCY

STATE OF _____
County of _____ ss.

Gerald Martin

and

Sharon L. Martin

each being duly sworn, upon oath, for himself or herself and jointly, but not one for the other, deposes and says:

THAT I am one of the Grantees, Mortgagees or Beneficiaries named in that certain _____ of _____

Distribution

(type of instrument)

which is dated

19

executed by First Interstate Bank of Montana, Trustee of the _____

dated September 25, 1987

Gerald Martin and Sharon L. Martin

to

as joint tenants with right of survivorship and not as a community property estate and not as tenants in common, and which instrument conveys the following-described property:

Tract #1 (approximately 363.70 acres)

Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 1: Lot 4.

Section 2: Lots 1, 7 and 8.

Township 12 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 35: SE 1/4 SE 1/4, S 1/2 NW 1/4, S 1/2 SW 1/4

Section 36: Lots 5 and 6

Tract #2 (approximately 208.71 acres)

Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho

Section 11: Lots 6 and 7.

Section 14: NW 1/4 NW 1/4, Lots 2, 3, 4.

with all appurtenances.

THAT each of us individually and jointly asserts and affirms that it is our intention to acquire any interest we may have in said premises and in any proceeds under the terms of said instrument as joint tenants with right of survivorship and not as a community property estate and not as tenants in common

Dated: Dec. 5th, 1989.

Gerald Martin
Gerald Martin

Sharon L. Martin
Sharon L. Martin

Subscribed, sworn to and acknowledged before me on December 5th, 1989, by

GERALD MARTIN
and SHARON L. MARTIN

Walter S. Hendon
Notary Public

My commission will expire:

MAR 18 1993

1944

MARTIN

* MARRIED AS JOINT TENANCY 1/5TH INTEREST

AN UNMARRIED WOMAN 1/5TH INTEREST

AN UNMARRIED WOMAN 1/5TH INTEREST

AN UNMARRIED MAN 1/5TH INTEREST

MARTIN AND ROBERT C. MARTIN

* MARRIED AS JOINT TENANCY 1/5TH INTEREST

* Attached are Acceptance of Joint Tenancy forms.

"EXHIBIT A"

MICROFILMED

MAR 18 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

R. KEITH HIGGINSON
Director

12-Mar-1992 09:31

GERALD D. HERRICK
KATHRYN S. HERRICK
2170 GOSSAMER LN.
BOISE ID 83706

Re: Ownership Change for Adjudication Claim NO.(S): A72-10378,
A72-10372, A72-10367 & A72-0244A, A72-00245, A72-00246,
A72-00247, A72-2035, A72-04089, A72-04090, A72-07170

Dear Claimant(s):

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claim(s) is appurtenant, the Department has changed the record of the current owners as you requested. Please find enclosed a copy of the computer record of the claim(s) noting the change in claimant.

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

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED

MAR 18 1993

\$112

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

RECEIVED

JAN 2 1990

Ident. Number: A72-00246
Date Received: 12/14/1989
Receipt No: 5010832
Received By: A.V. [signature]

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILDRED M. (CARLISLE) COWART *Trust gm* 602-792-5175
Address: % JED MORRISON, TRUST OFFICER
FIRST INTERSTATE BANK OF AZ, *as Trustee gm*
P.O. BOX 350
TUCSON, AZ 85702

2. Date of Priority: APR 01, 1880

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	18E	35	SE	NW	SE		CUSTER

5. Description of diverting works:
DIVERSION FROM CREEK, DITCH & PIPE LINE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.860		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:
gm NONE Domestic Use for House and Stockwater Use

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	18E	1	NW	NW	4	IRR	11.0

Section Acres 11.0

A72-00246

Page 1

Date: 12/14/89

MICROFILMED

MAR 18 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	2	NE	NE	1	IRR	21.0
						Section Acres	21.0
12N	18E	35	SE	SE		IRR	7.5
						Section Acres	7.5
		36	SW	NW	5	IRR	4.5
			NW	SW	5	IRR	16.0
			SW	SW	6	IRR	2.0
						Section Acres	22.5
						Total Acres	62.0

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:
72-0247

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

RICHARD GRAHAM

Decree Plaintiff

vs

ANDREA GINI

Decree 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: _____

For Organizations:

I do solemnly swear or affirm that I am ☒ Jed Morrison, Trust Officer of
First Interstate Bank of Arizona N.A. Title
☒ as Trustee Organization, that I have signed the foregoing
document in the space below as ☒ Trust Officer of
FIB of AZ, N.A. as Trustee Title
and that the statements contained in the
foregoing document are true and correct. ☒ Jed Morrison, T.O.
Signature of Authorized Agent
☒ Trust Officer, FIB of AZ, N.A. as Tru
Title and Organization
☒ 12/21/89
Date

State of ~~Idaho~~ Arizona)
County of Pima) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of December 19 89

Edward Edwards
Notary Public

Seal

Residing at 227 S. Beulah Vista, Tucson AZ
My Commission Expires My Commission Expires Oct. 31, 1993



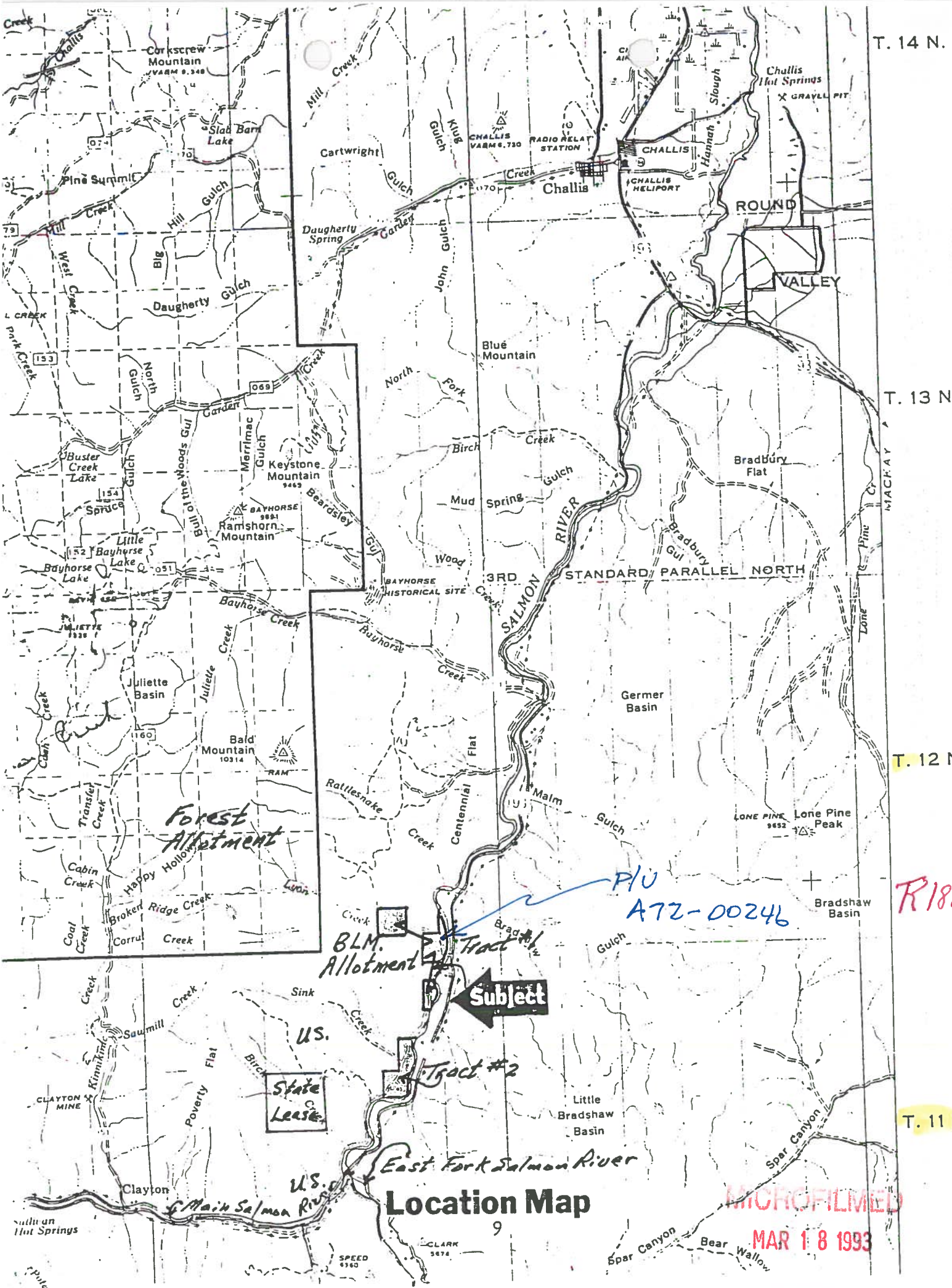
Green - Cultivated land
 Blue - Waste or native pasture
 Brown - Cultivated pasture
 Yellow - Building lots

Scale
 1 inch = 660 feet or 10 chains
 or 40 rods
 1 rectangle = 1 acre

1/2 mile to Tract #2
 NAME Pat's Plot
 Tract #1

Green - Cultivated land
 Blue - Waste or native pasture
 Brown - Cultivated pasture
 Yellow - Building lots

MAR 18 1993



T. 14 N.

T. 13 N

T. 12 N

T. 11

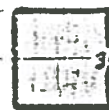
R18

MICROFILMED
MAR 18 1993

Location Map

T. 12N - R. 18E 8M

R. 18E



Tract #1

Salmon River

P/U
A 72-00246

T. 11N - R. 18E 8M

R. 18E

Tract #2



Legal Description Plat - Lots numbered

WARRANTY DEED

Mildred M. Cowart, also known as Mildred M. Carlisle, a married woman dealing with her sole and separate property, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged,

CONVEYS AND WARRANTS TO:

The First Interstate Bank of Arizona, Trustee of the Mildred M. Cowart Trust dated September 25, 1987, the following described real estate situate in the County of Custer, State of Idaho:

The Broken Wing Ranch

Tract #1 (approximately 363.70 acres)

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

Section 1: Lot 4.

Section 2: Lots 1, 7 and 8.

TOWNSHIP 12 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

Section 35: SE1/4SE1/4, S1/2NW1/4, N1/2SW1/4

Section 36: Lots 5 and 6.

Tract #2 (approximately 208.71 acres)

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

Section 11: Lots 6 and 7.

Section 14: NW1/4NW1/4, Lots 2, 3, 4,

with all appurtenances.

Leases - State Lease # G-8374

BLM Allotment # 5607 Bald Mountain Allot

National Forest - Squaw Creek Allot

WITNESS my hand this 26 day of Oct., 1987.

Mildred M. Cowart

Mildred M. Cowart (aka Mildred
M. Carlisle)

MICROFILMED
MAR 18 1993

WITNESSED BY:

Dale Lowman Jerry McLean

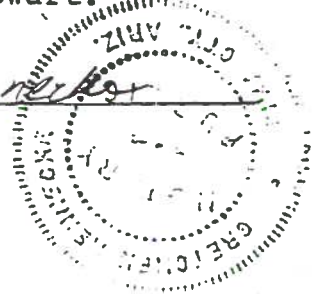
STATE OF ARIZONA)
) ss:
COUNTY OF PIMA)

26th The foregoing instrument was acknowledged before me this
day of October, 1987 by Mildred M. Cowart.

Bretcher Hennecker
Notary Public

My Commission Expires:

My Commission Expires May 3, 1991



186795

CUSTER COUNTY
REQUEST OF _____
Munger & Munger

'87 NOV 3 PM 1 04

ETHEL M. PECK, CLERK
M. Thompson DEPUTY
FEES \$ 6.00

MICROFILMED

MAR 18 1993

Idaho Department of Water Resources
Adjudication Bureau
Statehouse
Boise, ID 83720

Presorted

U.S. Postage
Permit No. 1
Boise, Idaho
First Class

FIRST CLASS

CARLISLE, MILDRED M TRUST
% FIRST INTERSTATE BANK OF AZ
TRUSTEE FOR MILDRED COWART
PHOENIX AZ 85072-3435

962

PROTECT YOUR WATER RIGHT! IMPORTANT WATER RIGHTS INFORMATION

COUNTY: CUSTER 5849
FILING DEADLINE: JAN 12, 1990
MOBILE UNIT LOCATION AND DATES:
WATCH LOCAL MEDIA FOR TIMES AND PLACES.
A MOBILE CLAIMS TAKING UNIT WILL BE IN
CUSTER COUNTY BEFORE THE FILING DEADLINE

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 No. 39576

COMMENCEMENT NOTICE

TO: ALL PERSONS OWNING RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM.

SEE SPECIAL NOTICE TO OWNERS OF SMALL DOMESTIC AND/OR STOCKWATER
RIGHTS ON PAGE TWO (2)

YOU ARE HEREBY NOTIFIED THAT:

On November 19, 1987, the District Court for the County of Twin Falls issued an order commencing a general adjudication of water rights from the Snake River Basin water system in Idaho. A general adjudication is a court case which will result in a decree determining all water rights from the water system. The purpose of the adjudication is to get an accurate schedule of water rights to assure the proper delivery of water in times of shortage. The purpose of this notice is to inform you of the commencement of the adjudication and your legal responsibilities at this stage of the adjudication.
PLEASE CONTINUE-CONTAINS IMPORTANT WATER RIGHT INFORMATION

MAR 18 1993

First Interstate Bank of Arizona, N.A.
SEP 20 1989
RECEIVED
TRUST DEPARTMENT
MILWAUKEE, WIS.



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. 9, 1990

1ST INTERST BANK OF ARIZONA NA
TRUSTEE OF
MILDRED (CARLISLE) COWART TRUST
P O BOX 350
TUCSON AZ 85702

Dear Claimant(s):

A72-00244A

A72-00245

A72-00246

Re: A72-00247

A72-02035

A72-04089

A72-04090

A72-07170

A72-10367

A72-10372

A72-10378

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 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MURRAY FELDMAN
PO BOX 2527
BOISE ID 83701

RE: Herrick Claims in Basin 72

Dear Mr. Feldman,

Enclosed are the documents we have discussed by telephone over the past week. Here is a brief recap of what is enclosed.

A72-04161B & A72-16497A Copies of the SRBA claims and parts of the change of ownership forms and letters.

A72-10367, A72-10372, A72-07071 & A72-10279 The first three have been partially decreed and the last is still listed as a preliminary report. I will follow-up on this last right to be sure it is submitted for the final Director's Report in late January 1999.

A72-00244A, A72-00145, A72-00246 & A72-00247 I have enclosed a draft map of the place of use review. It shows the actual acres as found by the GIS program and they are circled in pink.

A72-02035 This claim was disallowed and I have supplied you with a GIS overview map showing the claimed place of use. I have also included a copy from the file showing my field notes of the claim from 1993.

Finally, I have a question for you. I am processing another change of ownership request for the rights on Squaw Creek; A72-00134A, A72-16497A & A72-04157. The request comes from Paul & Sharon May and appears to be complete enough to finalize the actions. This will result in a split of all the rights previously listed and will be completed before the final Director's Report. Do you have the information on this action? I have sent copies of the basic forms. I

December 17, 1998

am planning on splitting the rights proportionately as they are reported in the preliminary report. Let me know if this is not correct.

Feel free to contact me if you have further questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Clelland".

STEVE CLELLAND
Sr. Water Resource Agent

Enc:
cc: Kathryn Herrick w/o enclosures

RECEIVED
JUN 26 2001
Department of Water Resources
Southern Region

BEFORE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NO.)
5771 IN THE NAME OF HIGH MOUNTAIN) **PRELIMINARY ORDER CORRECTING**
RANCHES LTD PARTNERSHIP) **TRANSFER APPROVAL**
_____)

This matter having come before the Department of Water Resources (Department) as a result of an application for transfer of a water right, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

See file 72-246

1. On September 23, 1924, Water Right Nos. 72-246 and 72-247 were decreed in the name of Andrea Gini in the case Richard Graham vs. Andrea Gini. Water Right No. 72-246 was decreed for 1.86 cfs from Lyon Creek with a priority date of April 1, 1880 appurtenant to property totaling 159.95 acres. Water Right No. 72-247 was decreed for 1.86 cfs from Lyon Creek with a priority date of April 1, 1884 appurtenant to the same property.
2. On December 14, 1989, the Department received Notice of Claim (claim) in the Snake River Basin Adjudication (SRBA) for Water Right Nos. 72-246 and 72-247 in the name of Mildred M. (Carlisle) Cowart Trust. Water Right No. 72-246 was claimed for 1.86 cfs from Lyon Creek for irrigation of 62 acres with a priority date of April 1, 1880. Water Right No. 72-247 was claimed for 1.86 cfs from Lyon Creek for irrigation of the same 62 acres with a priority date of April 1, 1884.
3. On March 3, 1992, the Department received Notice of Change in Water Right Ownership for SRBA claim nos. 72-246 and 72-247 in the name of Gerald D. Herrick and Kathryn S. Herrick.
4. On July 8, 1993, the Department conducted a field exam for SRBA claim nos. 72-246 and 72-247 and found a total of 83 acres irrigated.
5. Based on discussion with Murray Feldman, attorney for Gerald D. Herrick and Kathryn S. Herrick, the Department prepared amended SRBA claims for Water Right Nos. 72-246 and 72-247 to show additional acres as found during the July 8, 1993 field exam.

6. On January 15, 1999, the Department received amended SRBA claim nos. 72-246 and 72-247 in the name of Gerald D. Herrick and/or Kathryn S. Herrick. The amendment changed the place of use for irrigation to a total of 82 acres for each claim.
7. On January 29, 1999 The Department filed the Director's Report recommendations (recommendations) with the SRBA Court for Reporting Area 4 which included recommendations for Administrative Basin No. 72. Water Right Nos. 72-246 and 72-247 were recommended with a place of use of 82 acres for irrigation and included conditions limiting their combined use acreage to 62 acres.
8. On June 2, 1999, Kathryn Herrick and the U.S. Bureau of Land Management filed objections to the SRBA recommendations for Water Right Nos. 72-246 and 72-247.
9. On November, 17 1999, the Department signed a Standard Form 5 stipulating that the condition limiting the combined use acreage for Water Right Nos. 72-246 and 72-247 should be changed to 82 acres.
10. On June 14, 2000, the Department received Application for Transfer No. 5771 (transfer) in the Name of High Mountain Ranches Limited Partnership (applicant). The transfer proposed to change the place of use for Water Right Nos. 72-246 and 72-247 in order to resolve BLM objections to the SRBA recommendations. The transfer included documentation to change the ownership of Water Right Nos. 72-246 and 72-247 to the applicant.
11. On October 24, 2000, the Department approved the transfer for 1.86 cfs and 217 AF for irrigation of 82 acres under Water Right No. 72-246; and 1.86 cfs and 217 AF for irrigation of 82 acres under Water Right No. 72-247. The annual diversion volume amounts were based on the Department standard of 3.5 AF per acre. The transfer approval provided a total of 3.72 cfs and included the following condition:

Rights 72-00246 and 72-00247 when combined shall not exceed a total annual maximum diversion volume of 217 af at the field headgate, and the irrigation of 62.0 acres in the place of use described above in a single irrigation season.
12. On June 5, 2001, the Department received a letter from Murray Feldman, on behalf of the applicant, requesting that the transfer approval be corrected to show a combined use acreage limitation of 82 acres for Water Right Nos. 72-246 and 72-247.

CONCLUSIONS OF LAW

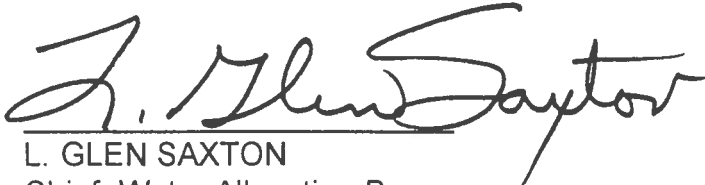
1. The transfer approval contained errors in the annual diversion volume amounts and the combined use acreage limitation for Water Right Nos. 72-246 and 72-247.

2. The Department should correct the transfer approval by changing the annual diversion volume amount to 287 af for each right, changing the combined annual diversion volume limitation to 287 af, and changing the combined use acreage limitation to 82 acres.

ORDER

IT IS HEREBY ORDERED that the approval for Transfer No. 5771 issued by the Department on October 24, 2000 is **CORRECTED** by changing the diversion volume amount to 287 af for each right, and by changing the combined annual diversion volume limitation to 287 af, and by changing the combined use acreage limitation to 82 acres for Water Right Nos. 72-246 and 72-247. An Amended Transfer Approval shall be prepared to incorporate the corrections hereby ordered.

Dated this 13th day of June, 2001.


L. GLEN SAXTON
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED***

TRANSFER NO. 5771

This is to certify that: HIGH MOUNTAIN RANCHES LTD PARTNERSHIP
AN IDAHO LIMITED PARTNERSHIP
2027 SILVER CREEK LANE
BOISE ID 83706

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
72-246	AJC/Decreed	04/01/1880	1.86 cfs		82.0	82.0	LYON CREEK
72-247	AJC/Decreed	04/01/1884	1.86 cfs		82.0	82.0	LYON CREEK

Purpose of Transfer (Changes Proposed)

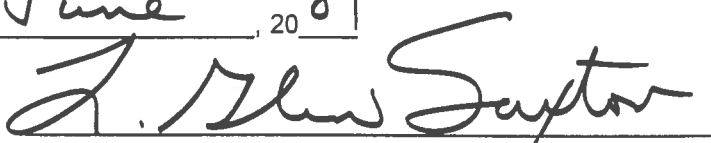
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
72-246	NO	NO	YES	NO	NO	NO
72-247	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
72-246	72-246	1.86 cfs	287.0 af	82.0	82.0		N/A	N/A	N/A	N/A
72-247	72-247	1.86 cfs	287.0 af	82.0	82.0		N/A	N/A	N/A	N/A
TOTALS		3.72 cfs	287.0 af	82.0	82.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of June, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 72-246
As Modified by Transfer No. 5771

In accordance with the approval of Transfer No. 66138, Water Right No. 72-246 is now described as follows.

Right Holder: HIGH MOUNTAIN RANCHES LTD PARTNERSHIP
 AN IDAHO LIMITED PARTNERSHIP
 2027 SILVER CREEK LANE
 BOISE ID 83706

Priority Date: 04/01/1880

Source: LYON CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.86 CFS	287.0 AF
			1.86 CFS	287.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LYON CREEK SENWSE Sec. 35 Twp 12N Rge 18E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 18E 1						14.0											14.0
						L 4											
11N 18E 2	21.1																21.1
	L 1																
12N 18E 35															7.4		7.4
12N 18E 36							6.6		16.0	16.9							39.5
							L 5		L 5	L 6							

Total Acres: 82

CONDITIONS OF APPROVAL

- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

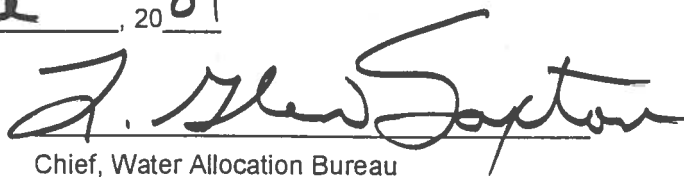
WATER RIGHT NO. 72-246
As Modified by Transfer No. 5771

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Rights 72-246 and 72-247 when combined shall not exceed a total annual maximum diversion volume of 287.0 af at the field headgate, and the irrigation of 82.0 acres in the place of use described above in a single irrigation season.
7. Approval of Transfer 5771 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right holder.
8. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 13th day of June, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 72-247
As Modified by Transfer No. 5771

In accordance with the approval of Transfer No. 66138, Water Right No. 72-247 is now described as follows.

Right Holder: HIGH MOUNTAIN RANCHES LTD PARTNERSHIP
 AN IDAHO LIMITED PARTNERSHIP
 2027 SILVER CREEK LANE
 BOISE ID 83706

Priority Date: 04/01/1884

Source: LYON CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.86 CFS	287.0 AF
			1.86 CFS	287.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LYON CREEK SENWSE Sec. 35 Twp 12N Rge 18E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 18E 1						14.0											14.0
						L 4											
11N 18E 2	21.1																21.1
	L 1																
12N 18E 35															7.4		7.4
12N 18E 36						6.6			16.0	16.9							39.5
						L 5			L 5	L 6							

Total Acres: 82

CONDITIONS OF APPROVAL

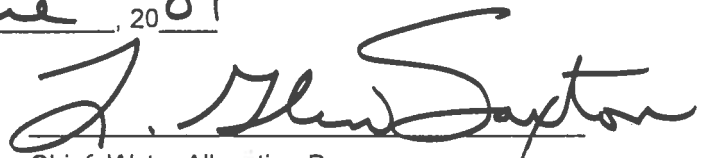
1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 72-247
As Modified by Transfer No. 5771

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Rights 72-246 and 72-247 when combined shall not exceed a total annual maximum diversion volume of 287.0 af at the field headgate, and the irrigation of 82.0 acres in the place of use described above in a single irrigation season.
7. Approval of Transfer 5771 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right holder.
8. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 13th day of June, 2001


Chief, Water Allocation Bureau

COPY

2001 JUN 25 AM 11:04

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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)
_____)
SUBCASE NO. 72-00246, 72-00247
NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

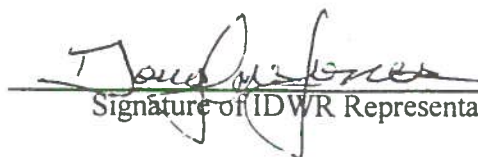
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒	Change in Ownership	☐	Split of Water Right
☐	Point of Diversion	☒	Place of Use
☐	Period of Use	☐	Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 1/25/01


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/25, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
High Mountain Ranches Ltd Partnership
2027 Silver Creek Ln
Boise ID 83706
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One Copy to:
Each party in the subcase or attorney of record:
Bureau of Land Management
Idaho State Office
1387 S Vinnell Way
Boise ID 83809
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

01/24/2001

RIGHT NUMBER: 72-246

NAME AND ADDRESS: HIGH MOUNTAIN RANCHES LTD PARTNERSHIP
AN IDAHO LIMITED PARTNERSHIP
2027 SILVER CREEK LANE
BOISE, ID 83706

SOURCE: LYON CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.86 CFS
217 AFY

USE OF THIS RIGHT WITH RIGHT NO. 72-00247 IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 217.0 AF.

PRIORITY DATE: 04/01/1880

POINT OF DIVERSION: T12N R18E S35 SENWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	1.86 CFS 217.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CUSTER County</u>							
T11N R18E S1	LOT 4	NWNW	14	T11N R18E S2	LOT 1	NENE	21.1
T12N R18E S35		SESE	7.4	T12N R18E S36	LOT 5	SWNW	6.6
T12N R18E S36	LOT 5	NWSW	16	T12N R18E S36	LOT 6	SWSW	16.9

82 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 72-00247 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 62.0 ACRES IN A SINGLE IRRIGATION SEASON

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE
DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS
MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

01/24/2001

RIGHT NUMBER: 72-247

NAME AND ADDRESS: HIGH MOUNTAIN RANCHES LTD PARTNERSHIP
AN IDAHO LIMITED PARTNERSHIP
2027 SILVER CREEK LANE
BOISE, ID 83706

SOURCE: LYON CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.86 CFS
217 AFY

USE OF THIS RIGHT WITH RIGHT NO. 72-00246 IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 217.0 AF.

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION: T12N R18E S35 SENWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	1.86 CFS 217.00 AFY

PLACE OF USE:

IRRIGATION Within CUSTER County							
T11N R18E S1	LOT 4	NWNW	14	T11N R18E S2	LOT 1	NENE	21.1
T12N R18E S35		SESE	7.4	T12N R18E S36	LOT 5	SWNW	6.6
T12N R18E S36	LOT 5	NWSW	16	T12N R18E S36	LOT 6	SWSW	16.9

82 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 72-00246 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 62.0 ACRES IN A SINGLE IRRIGATION SEASON

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE
DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS
MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water Right 72-247



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 25, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HIGH MOUNTAIN RANCHES LTD PARTNERSHIP
2027 SILVER CREEK LN
BOISE ID 83706

RE: SRBA Claim(s) 72-00246, 72-00247

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Bureau of Land Management

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5771
WATER RIGHT NO(S) . 72-00246/72-00247

RECEIVED
OCT 27 2000
Department of Water Resources
Southern Region

This is to certify that: HIGH MOUNTAIN RANCHES LTD PARTNERSHIP
2027 SILVER CREEK LANE
BOISE ID 83706

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 72-00246 :			
IRRIGATION	04/01 to 10/31	1.86 CFS	217.0 AF
Priority: 04/01/1880			
Right No. 72-00247 :			
IRRIGATION	04/01 to 10/31	1.86 CFS	217.0 AF
Priority: 04/01/1884			
TOTAL:		3.72 CFS	217.0 AF *

SOURCE

LYON CREEK

TRIBUTARY OF

SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION:

SENWSE , Sec. 35, Township 12N, Range 18E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	18E	1	Lot 4 (NWNW)	14.0		14.0
		2	Lot 1 (NENE)	21.1		21.1
12N	18E	35	SESE	7.4		7.4
		36	Lot 5 (SWNW)	6.6	Lot 5 (NWSW) 16.0 Lot 6 (SWSW) 16.9	39.5
					Total number of acres irrigated:	82.0 *

CONDITIONS OF APPROVAL AND REMARKS

1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

TRANSFER NO. 5771
WATER RIGHT NO(S). 72-00246/72-00247

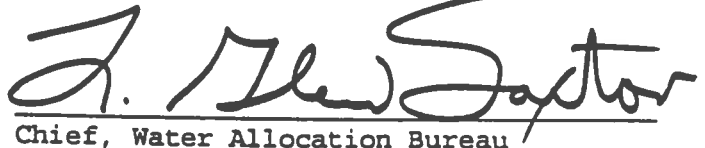
CONDITIONS OF APPROVAL AND REMARKS

2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 6. Rights 72-00246 and 72-00247 when combined shall not exceed a total annual maximum diversion volume of 217.0 af at the field headgate, and the irrigation of 62.0 acres in the place of use described above in a single irrigation season.
7. Approval of Transfer 5771 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dated this 24th day of

October

, 2000.


Chief, Water Allocation Bureau

COPY

200 AUG 21 AM 10:12

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

Water Rights: 72-00246, 72-00247

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

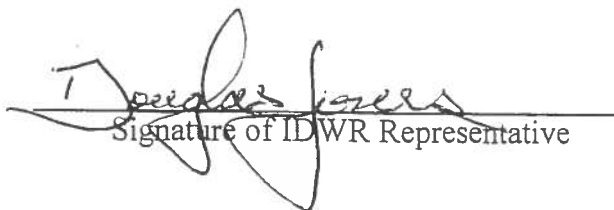
☒ I.C. § 42-222 transfer 5771

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than: June 14, 2001.

Dated 8/21/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/21, 2000, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:

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

2. One copy to:

Claimant or attorney of record:

Murray D Feldman
Holland & Hart
PO Box 2527
Boise ID 83701

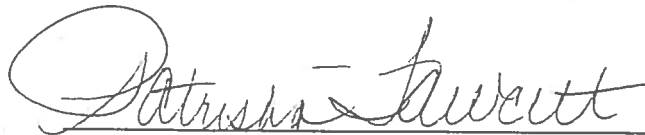
3. One copy to:

Each party in the subcase, or attorney of record:

R Lee Leininger
United States Dept. Of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

4. One copy to:

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



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

August 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MURRAY D FELDMAN
HOLLAND & HART
PO BOX 2527
BOISE ID 83701

RE: SRBA Claim(s) 72-00246, 72-00247, 72-04018, 72-04046,
72-04090 / High Mountain Ranches Ltd
Partnership

Dear Counselor:

Please find the enclosed copy of the Notice of Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

NAD- Due 6/14/01
Obi-Bim Transfer No. 5771

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED
JUN 14 2000
Department of Water Resources
Southern Region

ne of applicant High Mountain Ranches Limited Partnership Phone 208. 336. 8719
it Office address 2027 Silver Creek Lane, Boise, Idaho 83706

PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

Describe the reason for the proposed changes To move historical use from public (BLM) land onto private land at request of BLM to avoid unpermitted use of BLM land.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
72-00246	04/01/1880	1.86	Irrigation	04/01 to 10/31
72-00247	04/01/1884	1.86	Irrigation	04/01 to 10/31

Total amount of water being transferred 3.72 cubic feet per second and/or _____ acre-feet per annum.

Source of water Lyon Creek tributary to Salmon River

Point(s) of Diversion:

[illegible]

Lands irrigated or place of use:

[illegible]

AJ0749NP
No. 72-00246

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HIGH MOUNTAIN RANCHES LTD PARTNERSHIP AN IDAHO LIMITED PARTNERSHIP 2027 SILVER CREEK LANE BOISE ID 83706 (208) 336-8719	04/01/1880	IRRIGATION	04-01 10-31	1.860 CFS	
TOTAL DIVERSION:					1.860 CFS	

Water Source: LYON CREEK
Tributary to: SALMON RIVER
Stage: DECREED
Points(s) of Diversion: T12N R18E S35 SENWSE CUSTER County

Place of use Legal Description for: IRRIGATION									
		NE		NW		SW		SE	
T	R S	NE	SE	NW	SW	NE	SE	SW	SE
11N 18E	1	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac
11N 18E	2	01-17	05-01	04-14	05-06	05-16	06-16	07	14.0
12N 18E	35	03-02							18.7
12N 18E	36								9.8
TOTAL ACRES									39.5
									82.0

POU County: CUSTER
Other Rights: 72-0247

- Conditions of Approval:
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
 - NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 - ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: POU1
USE OF THIS RIGHT WITH RIGHT NO. 72-00247 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 82.0 ACRES IN A SINGLE
IRRIGATION SEASON.

Dates: Exam Made Date: 04/03/2000
Verified Date: 04/03/2000
Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

HOLLAND & HART^{LLP}
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

Murray D. Feldman
mfeldman@hollandhart.com

March 29, 2000

Via UPS Overnight

Mr. Steve Clelland
Senior Water Resource Agent
Idaho Department of Water Resources
Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RECEIVED

MAR 31 2000

Department of Water Resources
Southern Region

Re: Herrick Water Right Claims in Basin 72
Notice of Change of Water Right Ownership and Application for
Transfer Forms

Dear Mr. Clelland:

As we discussed at the close of last year, I am transmitting to you for submission to IDWR the following applications and materials concerning the Herricks' water rights and water right claims in Basin 72.

1. A Notice of Change of Water Right Ownership form and supporting documents. This Notice of Change of Water Right Ownership form will serve to change the name for the indicated water rights from Mr. and Mrs. Herrick individually to the present record owner of the appurtenant real property for the water rights, the High Mountain Ranches Limited Partnership. In accordance with this requested change, all of the following water right transfer applications have been prepared in the name of the High Mountain Ranches Limited Partnership.
2. Application for Transfer of Water Right concerning Water Right No. 72-04090.
3. Application for Transfer of Water Right concerning Water Rights Nos. 72-04018 and 72-04046.

Mr. Steve Clelland
March 29, 2000
Page 2

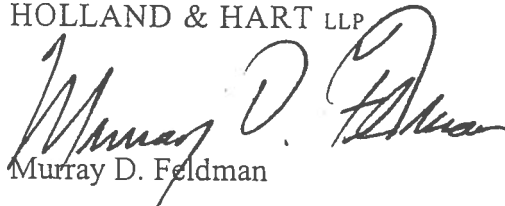
4. Application for Transfer of Water Right concerning Water Rights
Nos. 72-00246 and 72-00247.

I have also enclosed a check in the amount of \$300.00 payable to IDWR
for the \$100 fee for each transfer application.

If you have any questions about these applications or the notice of change,
or need additional information, please let me know. Thank you very much for
your assistance with these items and your attention to this matter.

Sincerely,

HOLLAND & HART LLP



Murray D. Feldman

MDF:cd
Enclosures
cc: Mr. Terry Walther
(w/encls. via U.S. Mail)
2643989_1.DOC/29727.1799

MAR 31 2000

Department of Water Resources
Boise, IdahoSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): 72-00244A; 72-00245; 72-00246; 72-00247; 72-04018; 72-04046;
72-04090
 Adjudication Claim No(s): A72-00244A; A72-00245; A72-00246; A72-00247; A72-04018; A72-04046;
A72-04090
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Gerald D. Herrick and Kathryn S. Herrick, Husband & Wife
2027 Silver Creek Lane, Boise, ID 83706
4. New Owner/Claimant(s) HIGH MOUNTAIN RANCHES LIMITED PARTNERSHIP, an Idaho limited
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or partners
 New Mailing Address 2027 Silver Creek Lane
 City, State and ZIP Code Boise, ID 83706
 New Telephone Number (208) 336-8719
5. Date you acquired the property March 3, 1997
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 _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ 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) HIGH MOUNTAIN RANCHES, LIMITED PARTNERSHIP
 By: Kathryn S. Herrick
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
Kathryn S. Herrick, Secretary of Herrick Ranches, Inc. General Partner
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..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

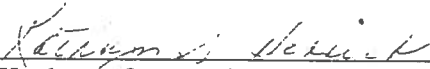
MINUTES OF ANNUAL MEETING OF BOARD OF DIRECTORS
OF
HERRICK RANCHES, INC.

The annual meeting of the Board of Directors of Herrick Ranches, Inc., was held January 5, 1994, immediately following the annual meeting of shareholders at Boise, Idaho. Present was Kathryn S. Herrick.

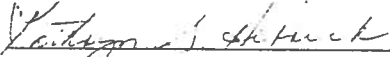
Kathryn S. Herrick acted as Chairman and Secretary. Minutes of the last annual meeting were read and approved. The Chairman announced that the first order of business was the election of officers. Nominations were made, seconded and unanimously approved and the following individuals were elected to the positions following their names:

Kathryn S. Herrick	President
Kathryn S. Herrick	Secretary

There being no further business, the meeting was adjourned.



Kathryn S. Herrick, Secretary



Kathryn S. Herrick, President

BOISE:0105675.01

RECEIVED
MAR 31 2000
Department of Water Resources
Southern Region

CERTIFICATE OF LIMITED PARTNERSHIP

(Instructions on back of application)

FEB 13 10 37 AM '97



1. The name of the limited partnership is: High Mountain Ranches Limited Partnership

2. The name and business address of the registered agent are:

Gerald D. Herrick

2027 Silver Creek Lane - Boise, Idaho 83706

(not a P.O. Box)

3. The name and business address of each general partner are:

Name

Address

Herrick Ranches, Inc.

2027 Silver Creek Lane

Boise, Idaho 83706

(If more space is needed, continue in item 5.)

4. The latest date on which the partnership will dissolve is: December 31, 2045

5. Other matters (optional):

6. Signatures of all general partners:

HERRICK RANCHES, INC., an Idaho corporation

By: Gerald D. Herrick

Gerald D. Herrick, President

Secretary of State use only
IDAHO SECRETARY OF STATE

DATE 02/13/1997

0900 63931 2

CK #: 18484 CUST# 2105

LTD PTR DM 1@ 100.00= 100.00

g /corp/forms/CLP.pmf Revised 8/96

: L

COPY

ORIGINAL IN
H & H VAULT

AMENDED BARGAIN AND SALE DEED

0213673

THIS INDENTURE, made the 17th day of June, 1997, between GERALD D. HERRICK and KATHRYN S. HERRICK, husband and wife, "Grantors," and HIGH MOUNTAIN RANCHES LIMITED PARTNERSHIP, an Idaho limited partnership, "Grantee."

W I T N E S S E T H:

WHEREAS, Grantors transferred title to the property described herein to Grantee pursuant to a Bargain and Sale Deed dated March 3, 1997 and recorded in Custer County, Idaho under Instrument No. 0212975 on March 7, 1997, and

WHEREAS, the parties have determined that there is an error in the legal description, and

WHEREAS, the parties intend by this deed to correct the legal description for said property.

The Grantors for good and valuable consideration, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said Grantee, and to its heirs and assigns, forever, all of that certain piece or parcels of land situate, lying and being located in the County of Custer, State of Idaho, particularly described as follows, to-wit:

See Exhibit A attached hereto.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest in the property, possession, claim and demand whatsoever, as well in law as in equity of the Grantors, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.



GERALD D. HERRICK



KATHRYN S. HERRICK

RECEIVED

MAR 31 2000

Department of Water Resources
Bozeman, Montana

STATE OF IDAHO)
 : ss.
 County of Ada)

On this 17th day of June, 1997, before me, a notary public in and for said State, personally appeared GERALD D. HERRICK and KATHRYN S. HERRICK, husband and wife, known or identified to me to be the persons who executed the instrument, and acknowledged to me that they 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.

Joyce L. Mitchell
 Notary Public for Idaho
 Residing at: Bain, Idaho
 My Commission Expires: 11/10/2000

WP 71426



213673
Custer County Reg. of
Holland and Hart

Time 10:05 A.M.

6-23-1997
Wanda J. Murphy
12th

TRACT I:

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO

Section 1: Lot 4

Section 2: Lots 1, 7 and 8

TOWNSHIP 12 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO

Section 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 36: Lots 5 and 6.

TRACT II:

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 11: Lots 6 and 7.

Section 14: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 3 and 4.

EXHIBIT

A

TOWNSHIP 11-NORTH, RANGE 18 EAST, BOISE MERIDIAN

Section 1: Lots 5, 6, and 7.

Section 2: Lot 9.

Section 11: Lots 1, 4, 5, and 8.

EXCEPTING THEREFROM:

The following described parcels from said Lot 5 and Lot 8.

A tract of land in Lots 5 and 8, Section 11, Township 11 North, Range 18 East of the Boise Meridian, described as:

Commencing at the intersection of the Southerly boundary of said Section 11 and the Westerly right-of-way line of U.S. Highway No. 93; thence Northeasterly along said Right-of-way line 1,112.7 feet to the TRUE POINT OF BEGINNING; continuing thence Northeasterly along said Right-of-way line a distance of 392.5 feet; thence North $66^{\circ}19'$ West, 680.0 feet to a point on the Easterly bank of the Salmon River; thence South $9^{\circ}58'$ East along the Easterly bank of the Salmon River 457.9 feet; thence South $66^{\circ}19'$ East, 434.8 feet to the TRUE POINT OF BEGINNING.

AND ALSO EXCEPTING:

A fraction of Lot 5, Section 11, Township 11 North, Range 18 East of the Boise Meridian, described as:

Commencing at the intersection of the Southerly boundary of said Section 11, and the Westerly right-of-way line of U.S. Highway No. 93; thence Northeasterly along the Westerly Right-of-way line of U.S. Highway No. 93, a distance of 1505.2 feet to the POINT OF BEGINNING, which is also the Northeast corner of the land described in the Deed to George Bryan Forestier, et. ux., recorded as instrument No. 134996, records of Custer County, Idaho, continuing thence Northeasterly along said Right-of-way line 469. feet; thence North $66^{\circ}19'$ West, 1156.7 feet to a point on the Easterly bank of the Salmon River; thence meandering said bank in a Southerly direction 670.0 feet, more or less, to a point which lies North $66^{\circ}19'$ West, from the POINT OF BEGINNING, which point is also the Northwest corner of said Forestier land; thence South $66^{\circ}19'$ East 680.0 feet along the Northeasterly boundary line of said Forestier land to the POINT OF BEGINNING.

ALSO EXCEPTING:

A parcel of land being a portion of Government Lot 5 of Section 11, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Beginning at the Northeast corner of Government Lot 5 of Section 11, Township 11 North Range 18 East, Boise Meridian, thence South $0^{\circ}00'16''$ East along the East line of said Government Lot 5 a distance of 610.51 feet to a point in the Westerly right of way line of existing State Highway No. 75; thence South $25^{\circ}02'00''$ West along said existing Westerly right of way line 275.29 feet to Grantor's most Southerly property corner; said point also being the Northeast corner of the land described in the deed dated July 16, 1979, Pamela C. Moorhead, grantor to Stephen C. Moorhead, recorded August 10, 1979, as instrument No. 150767, records of Custer County, Idaho, thence North $66^{\circ}11'25''$ West along said Northerly property line 627.35 feet; thence North $28^{\circ}16'49''$ East, 688.58 feet to a point in the North line of said Government Lot 5; thence North $89^{\circ}57'10''$ East along said North line 364.16 feet to the PLACE OF BEGINNING.

ALSO EXCEPTING:

A fraction of Lot 8 in Section 11, Township 11 North, Range 18 East of the Boise Meridian more particularly described as follows, to-wit:

Beginning at the meander corner of the Easterly bank of the Salmon River on the line between Section 11 and 14, run thence East along the South boundary of Section 11 a distance of 215.3 feet, more or less, to a point on the Westerly right-of-way line of U.S. Highway No. 93, thence North $25^{\circ}02'$ East, along the Westerly right-of-way line of U.S. Highway No. 93 a distance of 1,112.7 feet; thence North $66^{\circ}19'$ West 434.8 feet to a point on the Easterly bank of the Salmon River; thence meandering the Easterly bank of the Salmon River in a Southwesterly direction as follows: South $12^{\circ}49'$ West 365.4 feet; thence South $12^{\circ}31'$ West 443.6 feet; thence South $17^{\circ}33'$ West 409.3 feet to the POINT OF BEGINNING.

AJ0749NP
No. R72-00246

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/12/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD D HERRICK	04/01/1880	IRRIGATION	04-01 10-31	1.860 CFS	
C	KATHRYN S HERRICK					
	2027 SILVER CREEK LANE					
	BOISE ID 83706					
	(208) 336-8719					
TOTAL DIVERSION:					1.860 CFS	

Water Source: LYON CREEK Tributary to: SALMON RIVER Stage: DECREED

Point(s) of Diversion: T12N R18E S35 SENWSE CUSTER County

Place of use Legal Description for: IRRIGATION														
NE			NW			SW			SE					
T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM			
11N	18E	1	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	14.0			
11N	18E	2	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	18.7			
12N	18E	35	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	9.8			
12N	18E	36	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	39.5			
TOTAL ACRES											82.0			

POU County: CUSTER

Other Rights: 72-0247

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00247 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 82.0 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 11/12/1999 Verified Date: 11/12/1999 Objection filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

AJ5809NP
No. 72-00246

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/05/99
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD D HERRICK	04/01/1880	IRRIGATION	04-01 10-31	1.86 CFS	
C	KATHRYN S HERRICK					
	2027 SILVER CREEK LANE			TOTAL DIVERSION:	1.86 CFS	
	BOISE ID 83706					
	(208) 336-8719					

Water Source: LYON CREEK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T12N R18E S35 SENWSE CUSTER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
11N	18E	1	:					:					:					:					:	14.0	
11N	18E	2	:	01-17			05-01	:					:					:					:	18.7	
12N	18E	35	:				03-02	:					:					:				07	:	9.8	
12N	18E	36	:					:			05-06		:		05-16	06-16		:					:	39.5	
																							TOTAL ACRES	82.0	

POU County: CUSTER

Other Rights: 72-0247

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 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 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00247 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 62.0 ACRES IN A SINGLE
IRRIGATION SEASON.

82.0 Ac

Dates: Exam Made Date: 07/08/1993 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Revised
11/12/99
GSC

AJ5809NP
No. 72-00246

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/05/99
PAGE: 6

Comments: Date: 02/06/1995 User-ID: SCLELLAN Subject: CHANGE OF ADDRESS
BY OWNER REQUEST.

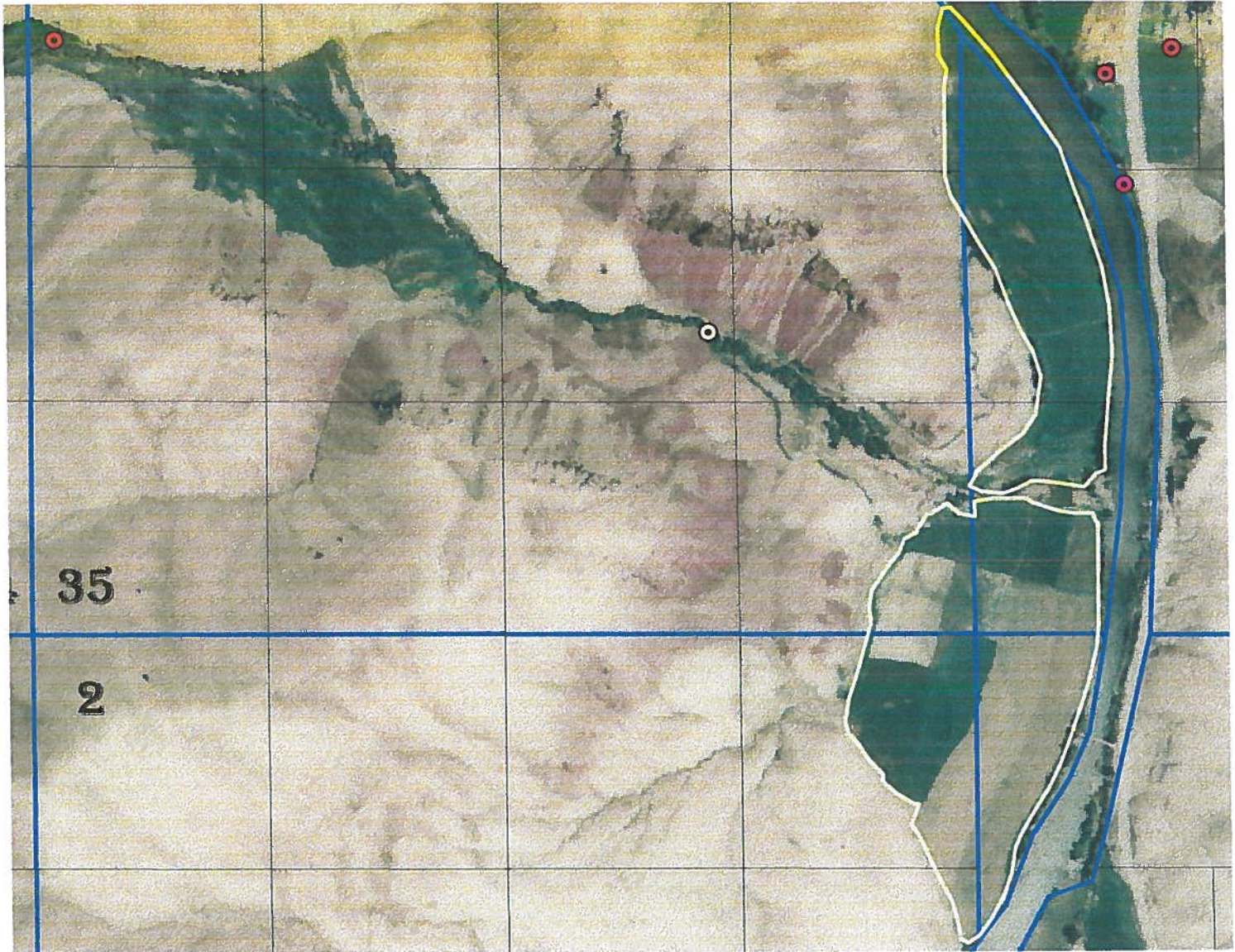
Date: 12/03/1998 User-ID: SCLELLAN Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE 3/10/92 BY JG.

Date: 12/03/1998 User-ID: SCLELLAN Subject: RECOMMENDATION
EXAM FOUND ADDITIONAL ACRES OF IRRIG. SUGGEST AMENDMENT. SOME
OF THE ACRES ARE ON BLM LANDS.

Audit: 11/13/92 CLELLAND 02/06/95 SCLELLAN 03/30/95 POST-STD 11/18/98 TFAWCETT
12/03/98 SCLELLAN 01/08/99 SCLELLAN 01/17/99 CPDSHAFF 02/04/99 ADT-DSHA

IDAHO DEPARTMENT OF WATER RESOURCES

72-00246 & 72-00247



660 0 660 1320 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 12N & 11N
RNG: 18E
SEC: 35 & 36; 1 & 2



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND

DATE: DEC. 3, 1998

LAIM NUMBER

A72-00246

A72-00247

DATE

12/3/98

5/11/00

TRANSFER NUMBER

CLAIMED ACRE TOTAL

62

GIS ACRE TOTAL

82.8

				NE				L.4 NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
LAIM	11N	18E	1						11	—										11
GIS									14	0.8										14.8
ECOM									14	1										15
LAIM			2	21			—													21
GIS				17			1.7													18.7
ECOM				17			2													19
LAIM	12N	18E	36							4.5			16	2						22.
GIS										6.6			16	16.9						39.5
ECOM										7			16	17						40
B72-DBPOU.SHP			35				—									—			7.5	7.5
SHAPE NOS.							2									0.4			7.5	7.5
486 (south piece)							2									.5			7.5	7.5
487 (north piece)							"BLM pou"									"BLM"			7.5	10

B72-DBPOD.SHP

NOS. DESCRIPTION

334 S.35 SE1/4

limited by claim:

82.0 62.0 Ac

→ suggest amendment

Combined limit pou

E11 to 82 acres/yr

(lots ok as listed in R)

Amendment Completed 1/15

DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

JPEG LAYOUT

AJ0749NP
No. R72-00246

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

DATE: 12/03/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD D HERRICK	04/01/1980	IRRIGATION	04-01 10-31	1.86 CFS	
C	KATHRYN S HERRICK					
	2027 SILVER CREEK LANE					
	BOISE ID 83706					
	(208) 336-8719					
				TOTAL DIVERSION:	1.86 CFS	

Water Source: LYON CREEK

Tributary to: SALMON RIVER

Stage: DECREASED

Point(s) of Diversion: T12N R18E S35

SENHSE

CUSTER County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE					
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESW	NWSE	NWSE	SWSE	SESE	SUM
11N	18E 1	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	11.0
11N	18E 2	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	17.0
12N	18E 35	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	7.5
12N	18E 36	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	26.5
						05-04				05-16 06-06								TOTAL ACRES	62.0

POU County: CUSTER

Other Rights: 72-0247

Conditions of Approval:

- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 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 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00247 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 62.0 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 07/08/1993 Verified Date: 12/03/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

Preliminary

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

A72-00246
A72-00247

DATE: 12/3, 1998

REVIEWED BY See

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION		SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA		PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62	PD2	.11	.12			5.15	4.74
BB1	.09	.09			6.09	6.17	Q	.26	.21			13.2	10.4
BC1	.16	.17			5.82	5.46	RD1	.14	.15			4.89	4.57
BK1	.07	.06			10.62	11.86	RE2	.29	.21			3.15	4.74
BT1	.18	.16			3.99	4.19							
BT2	.41	.32			2.34	2.87	RP1	.19	.21			4.89	4.57
CB1	.06	.06			11.55	13.47	SH1	.06	.05			9.37	12.10
CHA	.21	.21			4.52	4.76	SOC	.08	.07			7.38	8.08
CP1	.36	.36			2.61	2.78	SSA	.15	.14			4.79	5.01
DAF	.18	.15			5.33	7.27							
DB1	.13	.11			5.66	6.65	SXF	.12	.11			6.14	6.80
DBB	.13	.11			5.71	6.69	TC1	.06	.06			9.82	9.55
DBC	.13	.11			5.71	6.69	TD1	.04	.03			12.46	16.50
DMF	.18	.21			5.12	4.72	TS1	.08	.08			9.82	9.55
DRF	.18	.19			9.08	9.68	WB2	.13	.13			5.37	5.43
DT2	.05	.04			12.46	16.50	WAA	.19	.16			3.81	4.23
DWA	.14	.14			4.79	5.01	WBB	.17	.14			3.36	3.84
G01	.10	.12			12.47	10.51	WC1	.07	.06			11.24	13.45
KEG	.08	.07			8.73	10.06	WPT	.19	.15			3.16	3.69
MBF	.15	.12			7.65	5.81	WV1	.07	.06			11.24	13.45
MUG	.15	.14			4.54	4.98	XHS						
NDL	.13	.12			5.30	6.06	YN1	.18	.14			5.38	6.92

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
Db1	—	—	* 59	* .11	= 6.5 CFS
Wbb	—	—	* 24	* .14	= 3.36 CFS
	/	/	*	*	= CFS
	/	/	*	*	= CFS

9.86 cfs
= 0.12 cfs/Ac

TOTAL ACRES 83 (52+31)

limited by claim to 62 Acres

DECREED RATE = 3.72

CLAIMED DIVERSION RATE = 3.72

MEASURED DIVERSION RATE = 0.12
allow claimed Rate

= 0.045 cfs/Ac

OVERVIEW

DRAFT

R18E

T
12
N

2 POOS (SW SW NW)

(92)

(90)

TAC

WBB

(1.5)

37
AC
GIS

13

SENUSE

(.4)

31
GIS AC

(2)

34

35

3

2

DRAFT

11/17/98

See

CLAIMS

244A

- 245

- 246

- 247

20 Ac Upper

62 Ac Lower farm

[32 GIS AC] (1.7)

[83 GIS AC]

Lot 5

Based on Field Exam:

7-8-93 See

w/ MR. Herdick

2

ORIGINAL See A12-00244 A

R PROOF

CVR

MAPS

PHOTOS

MISC

—

X

X

—

—

27

26

25

T
12
N

LYON

CREEK

34

35

36

R18E

CLAIM

INIT

T. R. S. Q/Q

P/D

PHOTO

U74

DT.&ID.

7-24-74

3

2

T
11
N

P 5292

PS

LV

PS

11

PS

LV

27

26

25

T
12
N

LYON
CREEK

34

35

36

RIBE

CLAIM	INIT
T. R. S. Q/Q	
P/D	
PHOTO	U74
DT.&ID.	7-24-74

3

2

T
11
N



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

VERIFIED BY CODES

SW
1-27-93

TOPO MAP/ORTHO-PG = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

LAST: GINI
ADDRESS: XXX
CITY: XXX
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
FIRST: ANDREA
ID
ZIP: 000

LAST: COMART
ADDRESS: JED MORRISON, TRUST OFFICER
FIRST INTERSTATE BANK OF AZ
P.O. BOX 350
CITY: TUCSON
PHONE NUMBER: 602-792-5175
OWNER CODE: 0
FIRST: MILDRED M. (CARLISLE)
AZ
ZIP: 85702

LAST: HERRICK
ADDRESS: 2170 E. GOSCAMER LN.
CITY: BOISE
PHONE NUMBER: 208-336-8719
OWNER CODE: C
FIRST: GERALD D.
ID
ZIP: 83706

LAST: HERRICK
ADDRESS: 2170 E. GOSCAMER LN.
CITY: BOISE
PHONE NUMBER: 208-336-8719
OWNER CODE: C
FIRST: KATHRYN S.
ID
ZIP: 83706
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: OWNERSHIP CHANGE 3/10/92 BY JG.
FIELD EXAMINER
DATABASE
Y

2022 2021 2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007 2006 2005 2004 2003 2002 2001 2000 1999 1998 1997 1996 1995 1994 1993 1992 1991 1990 1989 1988 1987 1986 1985 1984 1983 1982 1981 1980 1979 1978 1977 1976 1975 1974 1973 1972 1971 1970 1969 1968 1967 1966 1965 1964 1963 1962 1961 1960 1959 1958 1957 1956 1955 1954 1953 1952 1951 1950 1949 1948 1947 1946 1945 1944 1943 1942 1941 1940 1939 1938 1937 1936 1935 1934 1933 1932 1931 1930 1929 1928 1927 1926 1925 1924 1923 1922 1921 1920 1919 1918 1917 1916 1915 1914 1913 1912 1911 1910 1909 1908 1907 1906 1905 1904 1903 1902 1901 1900 1899 1898 1897 1896 1895 1894 1893 1892 1891 1890 1889 1888 1887 1886 1885 1884 1883 1882 1881 1880 1879 1878 1877 1876 1875 1874 1873 1872 1871 1870 1869 1868 1867 1866 1865 1864 1863 1862 1861 1860 1859 1858 1857 1856 1855 1854 1853 1852 1851 1850 1849 1848 1847 1846 1845 1844 1843 1842 1841 1840 1839 1838 1837 1836 1835 1834 1833 1832 1831 1830 1829 1828 1827 1826 1825 1824 1823 1822 1821 1820 1819 1818 1817 1816 1815 1814 1813 1812 1811 1810 1809 1808 1807 1806 1805 1804 1803 1802 1801 1800 1799 1798 1797 1796 1795 1794 1793 1792 1791 1790 1789 1788 1787 1786 1785 1784 1783 1782 1781 1780 1779 1778 1777 1776 1775 1774 1773 1772 1771 1770 1769 1768 1767 1766 1765 1764 1763 1762 1761 1760 1759 1758 1757 1756 1755 1754 1753 1752 1751 1750 1749 1748 1747 1746 1745 1744 1743 1742 1741 1740 1739 1738 1737 1736 1735 1734 1733 1732 1731 1730 1729 1728 1727 1726 1725 1724 1723 1722 1721 1720 1719 1718 1717 1716 1715 1714 1713 1712 1711 1710 1709 1708 1707 1706 1705 1704 1703 1702 1701 1700 1699 1698 1697 1696 1695 1694 1693 1692 1691 1690 1689 1688 1687 1686 1685 1684 1683 1682 1681 1680 1679 1678 1677 1676 1675 1674 1673 1672 1671 1670 1669 1668 1667 1666 1665 1664 1663 1662 1661 1660 1659 1658 1657 1656 1655 1654 1653 1652 1651 1650 1649 1648 1647 1646 1645 1644 1643 1642 1641 1640 1639 1638 1637 1636 1635 1634 1633 1632 1631 1630 1629 1628 1627 1626 1625 1624 1623 1622 1621 1620 1619 1618 1617 1616 1615 1614 1613 1612 1611 1610 1609 1608 1607 1606 1605 1604 1603 1602 1601 1600 1599 1598 1597 1596 1595 1594 1593 1592 1591 1590 1589 1588 1587 1586 1585 1584 1583 1582 1581 1580 1579 1578 1577 1576 1575 1574 1573 1572 1571 1570 1569 1568 1567 1566 1565 1564 1563 1562 1561 1560 1559 1558 1557 1556 1555 1554 1553 1552 1551 1550 1549 1548 1547 1546 1545 1544 1543 1542 1541 1540 1539 1538 1537 1536 1535 1534 1533 1532 1531 1530 1529 1528 1527 1526 1525 1524 1523 1522 1521 1520 1519 1518 1517 1516 1515 1514 1513 1512 1511 1510 1509 1508 1507 1506 1505 1504 1503 1502 1501 1500 1499 1498 1497 1496 1495 1494 1493 1492 1491 1490 1489 1488 1487 1486 1485 1484 1483 1482 1481 1480 1479 1478 1477 1476 1475 1474 1473 1472 1471 1470 1469 1468 1467 1466 1465 1464 1463 1462 1461 1460 1459 1458 1457 1456 1455 1454 1453 1452 1451 1450 1449 1448 1447 1446 1445 1444 1443 1442 1441 1440 1439 1438 1437 1436 1435 1434 1433 1432 1431 1430 1429 1428 1427 1426 1425 1424 1423 1422 1421 1420 1419 1418 1417 1416 1415 1414 1413 1412 1411 1410 1409 1408 1407 1406 1405 1404 1403 1402 1401 1400 1399 1398 1397 1396 1395 1394 1393 1392 1391 1390 1389 1388 1387 1386 1385 1384 1383 1382 1381 1380 1379 1378 1377 1376 1375 1374 1373 1372 1371 1370 1369 1368 1367 1366 1365 1364 1363 1362 1361 1360 1359 1358 1357 1356 1355 1354 1353 1352 1351 1350 1349 1348 1347 1346 1345 1344 1343 1342 1341 1340 1339 1338 1337 1336 1335 1334 1333 1332 1331 1330 1329 1328 1327 1326 1325 1324 1323 1322 1321 1320 1319 1318 1317 1316 1315 1314 1313 1312 1311 1310 1309 1308 1307 1306 1305 1304 1303 1302 1301 1300 1299 1298 1297 1296 1295 1294 1293 1292 1291 1290 1289 1288 1287 1286 1285 1284 1283 1282 1281 1280 1279 1278 1277 1276 1275 1274 1273 1272 1271 1270 1269 1268 1267 1266 1265 1264 1263 1262 1261 1260 1259 1258 1257 1256 1255 1254 1253 1252 1251 1250 1249 1248 1247 1246 1245 1244 1243 1242 1241 1240 1239 1238 1237 1236 1235 1234 1233 1232 1231 1230 1229 1228 1227 1226 1225 1224 1223 1222 1221 1220 1219 1218 1217 1216 1215 1214 1213 1212 1211 1210 1209 1208 1207 1206 1205 1204

PHONE NUMBER: ()
 ext. from 900-8600
 name street city state zip
 e-mail address phone number fax number

0-0-00 0-0-00 0-0-00
 0-0000 0-0-00 0-0-00
 0-0000 0-0-00 0-0-00

APPOINTMENT MADE: Y() N()

TIME

DATE TIME FROM TO
06/08/97 09:00 14:00

A() P()

DATE TIME FROM TO
06/08/97 14:00 17:00

[illegible]

PHONE NUMBER: () - -

CLAIMANT :

PROPERTY / REMARKS:

A. AJ CLAIM: # 672-00246 PRIORITY DATE: 04-01-1880 STAGE: D

B. WR RECORD: # 72-00246 PRIORITY DATE: 04-01-1880 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? (Y__) N(__)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
04-01-1880

REVIEWED BY _____ DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-00246	12N	18E	35	SE	NW	SE		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD WK RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX NONE
 A72-00244A
 A72-00245
 A72-00247

SOURCE: LYON CREEK TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

00246 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: LYON CREEK TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC. 1/4 1/4

1/4

LOT

COUNTY

SOURCE: LYON CREEK

TRIB: SALMON RIVER

REVIEWED BY:

DATE:

A. ROOT WATER RIGHT NUMBERS: A72-00246

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12N	18E	1	NW	NW	4	HERRICK, GERALD D.	A72-00246 / 11.0	72-00246 /	15.0		
			NW	NW	4	HERRICK, GERALD D.	A72-00247 / 11.0	72-00247 /			
11N	18E	2	NE	NE	1	HERRICK, GERALD D.	A72-00246 / 21.0	72-00246 /	18.0		
			NE	NE	1	HERRICK, GERALD D.	A72-00247 / 21.0	72-00247 /			
12N	18E	35	SE	SE		HERRICK, GERALD D.	A72-00246 / 7.5	72-00246 /	17.0		
			SE	SE		HERRICK, GERALD D.	A72-00247 / 7.5	72-00247 /			
			SE	SE		HERRICK, KATHRYN S.	A72-10367 /	- /			
			SE	SE		HERRICK, GERALD D.	A72-10372 /	- /			
11E	18E	36	NW	NW	5	HERRICK, GERALD D.	A72-00246 / 4.5	72-00246 /	19.0		
			NW	NW		HUTCHENS, MARGARET	A72-04048A / 10.0	- /			
			NW	NW		LEUZINGER, DOYLE	A72-04048B / 13.0	- /			
			NW	NW	3	KNOX, LAWANA G.	A72-04169 / 2.1	72-04169 / 3.0			
			NW	NW	3	KNOX, WILLIAM L.	A72-10053 /	- /			
			NW	NW		STATE OF IDAHO	A72-10511 /	- /			
			NW	NW	5	HERRICK, GERALD D.	A72-00247 / 4.5	72-00247 /			
			NW	NW		LEUZINGER, DOYLE	72-04048 / 13.0				
			NW	NW	3	LEUZINGER, DOYLE	72-07398 / 15.0				
12N	18E	36	NW	NW	5	HERRICK, GERALD D.	A72-00246 / 15.0	72-00246 /	19.0		
			NW	NW	5	HERRICK, GERALD D.	A72-00247 / 16.0	72-00247 /			
12N	18E	36	SW	SW	6	HERRICK, GERALD D.	A72-00246 / 2.0	72-00246 /	20.0		
			SW	SW	6	HERRICK, GERALD D.	A72-00247 / 2.0	72-00247 /			
TOTAL ACRES						A72-00246	62.00		108.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

FIELD EXAM REQUIRED?

FIELD EXAMINER

POU COUNTY: CUSTER

DUE TO POU DISCREPANCY? (Y/N)

Y

DATABASE

STATM NHHEP: A77-00346

NOTES ON THE AUTHOR

240-0 AEA

Stage: DECKED

CLUSTER County

620

Field Inspection Flag:
Presumption Flag:

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACKES:

REVIEWED BY:

DATE:

A. AS CLAIMED USES:

PURPOSES
A72-00246 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.860 CFS

B. WR RECORDED USES:

PURPOSES
72-00246 IRRIGATION

MONTH/DAY
FROM TO

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.860 CFS

ASSUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY?	N		
DUE TO DIVERSION RATE DISCREPANCY?	N		
DUE TO PERIOD FROM/TO DISCREPANCY?	Y		

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.860 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 1.860 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
 ** If an amount smaller than the original diversion rate is **
 ** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD DATABASE EXAMINER
 N

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 72-0247

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00246	LYON CREEK	HEKRICK , GERALD D.	1.860	0.030		
A72-00247	LYON CREEK	HEKRICK , GERALD D.	1.860	0.030		
A72-04048A	SALMON RIVER	HUTCHENS , MARGARET	0.400	0.040		
A72-04048B	SALMON RIVER	LEUZINGER , DOYLE	6.000	0.085		
A72-04169	SALMON RIVER	KNOX , LAWANA G.	0.260	0.123		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10367	DOMESTIC	HEKRICK , KATHRYN S.	FROM 01-01 TO 12-31	.040 CFS	
A72-10367	STOCKWATER	HEKRICK , KATHRYN S.	FROM 01-01 TO 12-31	.070 CFS	

B. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES $\times 0.02$ CFS/ACRE = CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 240.0 AF/A
ACRES $\times$ CONSUMPTIVE VOL. AF/A FOR AREA =
TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = AF/A
ACRES $\times$ DIVERSION VOL. AF/A FOR AREA =
TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 1.860	DATABASE EXAMINER	DATABASE EXAMINER 240.0
TOTAL FOR THIS RIGHT		1.860		240.0

REVIEWED BY:

DATE:

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP	ACCEPTED	NEEDS
FOREFEIT/ABANDON	AS CLAIMED	REVIEW
ADDITIONAL DIV. AMOUNT	()	()
	()	()
	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00246
TOTAL DIVERSION RATE OF WR SPLITS 1.860
EXAMINER CFS

SPLITS:	OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
		472-00246	1.860			72-00246	1.860

TOTAL CFS	1.860						1.860
-----------	-------	--	--	--	--	--	-------

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 sheet attached? (Y/N)
DATABASE Y
FIELD EXAMINER

REMARKS:

AUTHENTICATION:
SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

Water Right Number - 72-00246

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
GINI
Last Name - + First Name - + Address - +
ANDREA
1 -
2 -
3 -
City-
Phone -
State- Zip-

Priority Date - + 04/01/1880 + Region - + 17 SOUTHERN + Stage - + D - DECREED + Status - +

Source - + LYON CREEK + Tributary - + SALMON RIVER +

Twn Rng Sec Tract Lot Rflg County Point of Diversion - Stream Index (Blank if no Index Code)

Code Description Period From Period To Water Use - Diversion Rate - Diversion Volume -
01 - IRRIGATION 1.860

+ - Total Div. Rate - + 1.860 + - Total Div. Volume - + + - Total Div. Capacity - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
11N	18E	1	NW NW	4			01	IRRIGATION	(37) CUSTER
11N	18E	1	SW NW	4			01	IRRIGATION	(37) CUSTER
11N	18E	2	NE NE	1			01	IRRIGATION	(37) CUSTER
12N	18E	35	SE SE	5			01	IRRIGATION	(37) CUSTER
12N	18E	36	SW NW	5			01	IRRIGATION	(37) CUSTER
12N	18E	36	NW SW	5			01	IRRIGATION	(37) CUSTER
12N	18E	36	SW SW	6			01	IRRIGATION	(37) CUSTER

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-0247

Remarks -
AC. IRRIG. NOT SPECIFIED. FARM = 150.95 AC.

- Old Water Right Numbers -
No Old Water Right Numbers found.

- Conditions of Approval -
No Conditions of Approval found.

Prefix Translation: WATER RIGHT

+ - Decree Date - +
09/23/1924

- - -Comments- - -
No Comments Found

Dates and Flags Area -

- Field Exam Fee
- Swan Falls
- Temporary Right - P
- DLE/Carey Act
- Water District
- Transfer/Amended