



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

dom

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 30, 1999

John and Ida Van Alfen
PO Box 1390
Challis, Idaho 83226

RE: Snake River Basin Adjudication (SRBA)
Claim Number: 72-07105
Change of Ownership Notification

Dear Mr. and Mrs. Van Alfen:

Thank you for your prompt reply to my request of a change of ownership on the above claim. Our records have been updated to reflect that you are current co-owners of the water right, however I have not had notice from Mr. Deen as yet. **The enclosed copies are for your records**, please review these documents for accuracy in all other respects. If you have any questions, please feel free to contact me at this office.

Sincerely,

Vikie Hancock
Water Resource Agent

AJ0749NP
No. 72-07105

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

DATE: 11/30/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN A GILLIAM PO BOX 41 CHALLIS ID 83226 (208) 879-4311	06/05/1980	DOMESTIC	01-01 12-31	0.080 CFS	2.40 AFA
TOTAL DIVERSION:					0.080 CFS	2.40 AFA

C IDA VAN ALFEN
C JOHN VAN ALFEN
PO BOX 1390
CHALLIS ID 83226
(208) 879-5273

D DAN WATSON
D IDA WATSON
PO BOX 41
CHALLIS ID 83226

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T14N R19E S16

NMSW

CUSTER County

Place of use Legal Description for: DOMESTIC

	NE	NW	SW	SE
T R S	NE NE NE SENE : NENE NWN SWSW : NESW NMSW SWSW SESW : NESE NWSE SUSE SESE :	NE NE NE SENE : NENE NWN SWSW SENE : NESW NMSW SWSW SESW : NESE NWSE SUSE SESE :	NE NE NE SENE : NENE NWN SWSW SENE : NESW NMSW SWSW SESW : NESE NWSE SUSE SESE :	NE NE NE SENE : NENE NWN SWSW SENE : NESW NMSW SWSW SESW : NESE NWSE SUSE SESE :
14N 19E 16	:	:	:	:

POU County: CUSTER

Non-Irrigation Uses: 2 HOMES

Other Rights: CHALLIS CREEK

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. 14N19E16S420A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

DATE: 11/30/99
PAGE: 1

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: AJ 5809 NP
Adjudication Claim No(s).: 72-07105
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 Dan & Ida Watson
P.O. Box 41 Challis Id. 83226
4. New Owner/Claimant(s) John and Ida Van Alfen
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address P.O. Box 1390
City, State and ZIP Code Challis Id. 83226
New Telephone Number (208) 879-5273
5. Date you acquired the property 8-17-93
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) John K. Van Alfen
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

RECEIVED
NOV 30 1999
Department of Water Resources

RECORDING REQUESTED BY

JOHN K VAN ALFEN

AND WHEN RECORDED THIS DEED AND UNLESS OTHERWISE SHOWN BY THE TAX STATEMENTS TO

Custer County Rec. of

0200001

Filed Van Alfen

11:30 A.M.

Sept 13 1993

10.000.000.00

JOHN K VAN ALFEN

DEED 8274

SACRAMENTO CA 95818

Title Given to

Section

PLEASE PRINT OFFICIALS FOR RECORDER'S USE

QUITCLAIM DEED

Interlocutory Judgment of Dissolution of Marriage
 (1) computed on full value of property owned by
 (2) computed on full value of property owned and
 encumbrances outstanding at the time of sale

DANIEL J. WATSON and IDA WATSON

the undersigned grantors for a valuable consideration and to wit: the sum of \$100,000.00, hereby release

release and forever quitclaim to JOHN K VAN ALFEN and IDA L. VAN ALFEN

the following described real property in the City of CHANDLER
 County of CUSTER

See Attached property description located on
 Chandler Creek Road

This Deed is subject to the terms and conditions contained in
 the Interlocutory Judgment of Dissolution of Marriage, Daniel
 J. Watson, Petitioner vs. Ida Watson, Respondent, Custer County
 Court Case No.

ASSISTANT CLERK TO BRYNN FLEWELLYN

EXECUTED ON 8/11/93 Santa Clara

PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of SACRAMENTO

On SEPTEMBER 10, 1993 before me, DANIEL P. OUS, Notary Public

personally appeared IDA WATSON

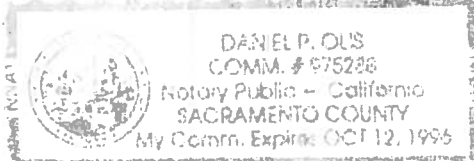
☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence
 to be the person(s) whose name(s) is/are
 subscribed to the within instrument and ac-
 knowledged to me that he/she/they executed
 the same in his/her/their authorized
 capacity(ies), and that by his/her/their
 signature(s)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

Witness my hand and official seal

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL(S)
- ☐ CORPORATE OFFICER(S)
- ☐ PARTNER(S)
- ☐ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ SUBSCRIBING WITNESS
- ☐ GUARDIAN/CONSERVATOR
- ☐ OTHER

SIGNER IS REPRESENTING



Daniel P. Ous

ATTENTION NOTARY: Although the information requested is not OFFICIAL, it could prevent fraudulent attachment of this certificate to unauthorized documents.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT
 Title or Type of Document: Quitclaim Deed
 Number of Pages: 1
 Date of Document: 9/17/93

A parcel of land located in N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the West Quarter corner of said Section 16, from which the Northwest corner bears North 0°20'22" East, 2,641.40 feet; a distance of 807.06 feet on a bearing of South 89°27'32" East, to an existing 1" drill steel and the REAL POINT OF BEGINNING.

Thence South 89°54'05" East, 154.91 feet;

thence South 2°58'04" East, 731.09 feet;

thence North 89°54'05" West, 203.10 feet;

thence North 0°48'42" East, 730.10 feet to the REAL POINT OF BEGINNING.

TOGETHER with the following described road easement:

Commencing at the Northeast corner of the above described parcel and being the REAL POINT OF BEGINNING; a distance of 356.54 feet on a bearing of South 2°53'04" East along an existing fence;

thence North 87°40'13" East, 349.89 feet;

thence North 3°24'14" West, 16.00 feet;

thence North 87°40'13" West, 323.24 feet along an existing fence;

thence North 2°58'04" West, 339.42 feet along an existing fence;

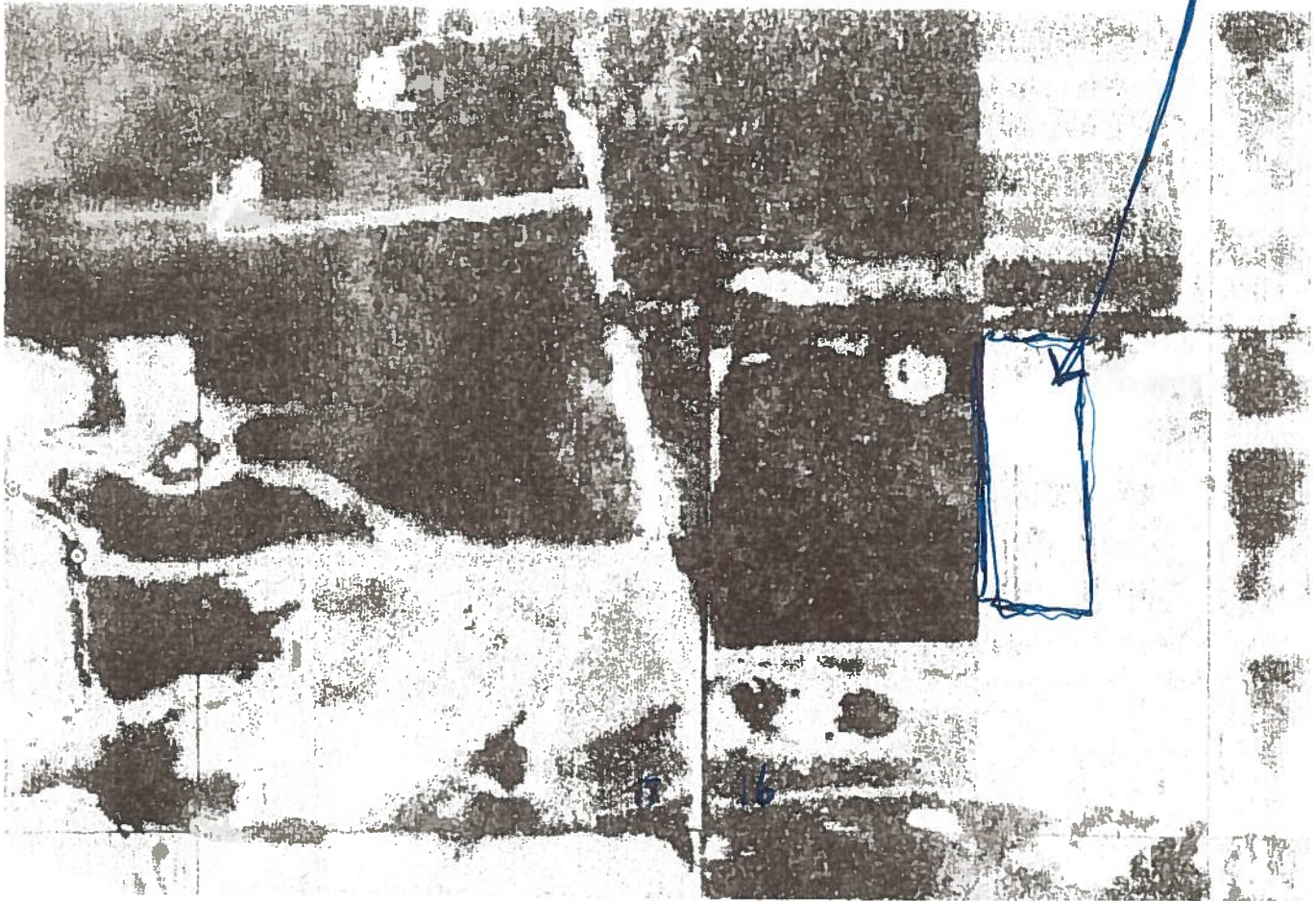
thence North 89°54'05" West, 26.56 feet to the REAL POINT OF BEGINNING.

IDAHO DEPARTMENT OF WATER RESOURCES

72-10083

DAN & IDA WATSON

Property location



660 0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 9, 1993
TWP 14N 10E, SEC. 16



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

ONE PLACE OF USE FACILITATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JILLIE ROBERTSON



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 26, 1999

John and Ida VanAlfin
PO Box 1390
Challis, Idaho 83226

RE: Snake River Basin Adjudication (SRBA)
Claim Number(s): 72-07105
Change of Ownership Notification

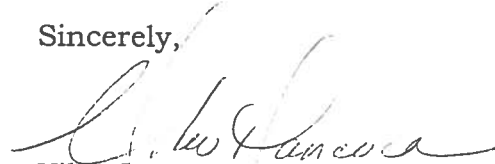
Dear Mr. and Mrs. VanAlfin:

It has come to our attention that you are owners of property to which the above referenced Snake River Basin Adjudication claim is appurtenant. One of the goals of the Adjudication has been to identify and update the ownership status of water rights throughout the state, and in 1997 the Idaho Legislature added statutes requiring that IDWR be notified of any ownership changes.

In order to update our records to reflect that you are the current co-owners of this water right however, we must have proper documentation. For your convenience, I have enclosed a form and a pre-addressed envelope, as well as a computer print out of the water right. Please complete the form and forward it, along with the required documentation, to this office. As I understand this situation, the property came to Mrs. VanAlfin through a divorce decree. If this is correct, a copy of the decree, or Quit Claim Deed from Mr. Watson would be proper. There is no fee associated with the Change of Ownership procedure.

I am also corresponding with Mark Deen, whom I believe presently owns the other half of the water right. If you have any questions, please feel free to contact me at this office.

Sincerely,


Vikie Hancock
Water Resource Agent



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 26, 1999

Mark Deen
PO Box 796
Challis, Idaho 83226

RE: Snake River Basin Adjudication (SRBA)
Claim Number(s): 72-07105
Change of Ownership Notification

Dear Mr. Deen:

It has come to our attention that you are the owner of property to which the above referenced Snake River Basin Adjudication claim is appurtenant. One of the goals of the Adjudication has been to identify and update the ownership status of water rights throughout the state, and in 1997 the Idaho Legislature added statutes requiring that IDWR be notified of any ownership changes.

In order to update our records to reflect that you are the current co-owner of this water right however, we must have proper documentation. For your convenience, I have enclosed a form and a pre-addressed envelope, as well as a computer print out of the water right. Please complete the form and forward it, along with the required documentation, to this office. I understand that you may be in the process of moving. If you should sell this property, please advise the new owners that a Notice of Change of Ownership is required of them.

I am also corresponding with Mr. and Mrs. VanAlfin, whom I believe presently own the other half of the water right. If you have any questions, please feel free to contact me at this office.

Sincerely,

Vikie Hancock
Water Resource Agent

CONVERSATION MEMO

Date: 11-26-99

Regarding:

72-07105

Customer:

From: Vikie Hancock

AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA

- Attempting to clean up some of prior agent's uncompleted works.
- Called Brian Hancock to clarify co-ownership of this right. He no longer owns property. Said Dan Watson's ex-wife owns ^{Watson's} ~~her~~ part & that he sold his to a Realtor in Challis.
- Called Custer County and got current owners & addresses on both parcels.
 - 1) John & Ida Van Albin - Ida was Watson
 - 2) Mark Deen - He has moved to Oregon but still owner of record

Note - The owners of each parcel still own 50% each of the well & water right per the Original agreement between Gillum & Watson as far as Hancock knows.

RECEIVED

MAY 09 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Southern Region

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).: _____

Adjudication Claim No(s).: _____

A72-07105

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

John A. Gilliam

PO Box 41 Challis, ID 83226

4. New Owner/Claimant(s)

Brian + Renee Hancock

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

HC 63 Box 1555

City, State and ZIP Code

Challis, ID 83226

New Telephone Number

(208) 879-2357

5. Date you acquired the property

12-27-89

6. If you have acquired only a portion of adjudication claim(s). If this applies, describe below. If necessary, attach additional pages.

to split the water right(s) or adjudication claim in the spaces

Number of acres you irrigate _____

Diversion rate in CFS _____ Num _____

If a water right or adjudication claim is 1 or claim, please contact the nearest IDWR

portion of the original right

7. Signature of New Owner or Claimant(s)

B

(Corporations or other organizations must

ating authority to sign form.)

8. For Snake River Basin Adjudication Claim

IDWR to correspond with him or her for all matters related to your claims..

by your attorney, if you wish

Ownership change
never completed.
No longer owns
property per
phone call 11-26-99

[Signature]



COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY OF IDAHO

Chicago Title Insurance Company of Idaho, an Idaho corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedule A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

Issued by:
CUSTER COUNTY TITLE, INC.
Main Street - P. O. Box 370
Challis, Idaho 83226

**CHICAGO TITLE INSURANCE COMPANY
OF IDAHO**

By:

President

By:

Secretary



Authorized Signature

SCHEDULE B - SECTION 2

File Number: 7184

Special Exceptions:

1. General taxes for the year 1989, which are a lien, payable on or before December 20 of said year. (1988 taxes in the original amount of \$431.04 under assessment No. 5563.)
2. Right, title and interest of the Public in and to those portions of the above premises falling within the bounds of roads and highways.
3. 40 foot easement for access and utilities contained in Deed dated June 8, 1978, from Dannie A. Strand, et. ux., et. al., to Robert E. Baker and Gloria J. Baker, husband and wife, recorded June 30, 1978, as instrument No. 146991, records of Custer County, Idaho.
4. Power Line Easement dated June 1, 1978, from Dannie A. Strand, et. ux., et. al., to Salmon River Electric Co-op., recorded June 21, 1979, as instrument No. 150303, records of Custer County, Idaho.
5. Ditch Easement along the North boundary of said property contained in Deed dated June 28, 1979, from Marck D. Stark and Brenda J. Stark, husband and wife, to Dannie A. Strand, et. ux., et. al., recorded June 29, 1979, as instrument No. 150368, records of Custer County, Idaho.
6. Road Easement contained in the Deed dated December 4, 1981, from John Anthony Gilliam, Grantor to Daniel J. Watson, et. ux., Grantee, recorded December 4, 1981, as instrument No. 161744, records of Custer County, Idaho.
7. Well-Water Agreement dated August 21, 1989, by and between Daniel J. Watson and John Anthony Gilliam, recorded August 21, 1989, as instrument No. 192682, records of Custer County, Idaho.

Description

A parcel of land located in N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the West Quarter Corner of said Section 16, from which the Northeast corner bears North 0°20'22" East, 2641.40 feet; a distance of 807.06 feet on a bearing of South 89°27'52" East, to an existing 1" drill steel; thence South 89°54'05" East, 154.91 feet to the REAL POINT OF BEGINNING.
thence South 89°54'05" East, 375.62 feet;
thence South 2°01'54" East, 212.10 feet;
thence South 8°07'23" East, 645.92 feet;
thence South 89°01'01" West, 585.61 feet;
thence North 0°48'42" East, 137.88 feet;
thence South 89°54'05" East, 203.10 feet;
thence North 2°58'04" West, 731.09 feet to the REAL POINT OF BEGINNING.

WARRANTY DEED

For Value Received JOHN ANTHONY GILLIAM and GYNIVELL ABRACOSA GILLIAM, husband and wife, residing at P.O. Box 41, Challis, Idaho 83226

the grantor S, do hereby grant, bargain, sell and convey unto BRIAN K. HANCOCK and RENAE J. HANCOCK, husband and wife

the grantee S, whose current address is P.O. Box 983, Challis, Idaho 83226

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

A parcel of land located in N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the West Quarter Corner of Section 16, from which the Northeast corner bears North 0°20'22" East, 2641.40 feet; a distance of 807.06 feet on a bearing of South 89°27'52" East, to an existing 1" drill steel; thence South 89°54'05" East, 154.91 feet to the REAL POINT OF BEGINNING.

thence South 89°54'05" East, 375.62 feet;
thence South 2°01'54" East, 212.10 feet;
thence South 8°07'23" East, 645.92 feet;
thence South 89°01'01" West, 585.61 feet;
thence North 0°48'42" East, 137.88 feet;
thence South 89°54'05" East, 203.10 feet;
thence North 2°58'04" West, 731.09 feet to the REAL POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee S, that they the owner S in fee simple of said premises; that they are free from all incumbrances save and excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho

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

Dated: This 27th day of December, 1989.

X John Anthony Gilliam
JOHN ANTHONY GILLIAM

X Gynivell Abracosa Gilliam
GYNIVELL ABRACOSA GILLIAM

STATE OF IDAHO
COUNTY OF Custer

On this 27 day of December, in the year 1989, before me, a Notary Public, personally appeared John Anthony Gilliam and Gynivell Abracosa Gilliam, husband and wife, known or identified to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Patricia Kindt
Notary Public
Residing at Challis, Idaho.
Commission Expires: 3/12/92

STATE OF IDAHO, COUNTY OF Custer

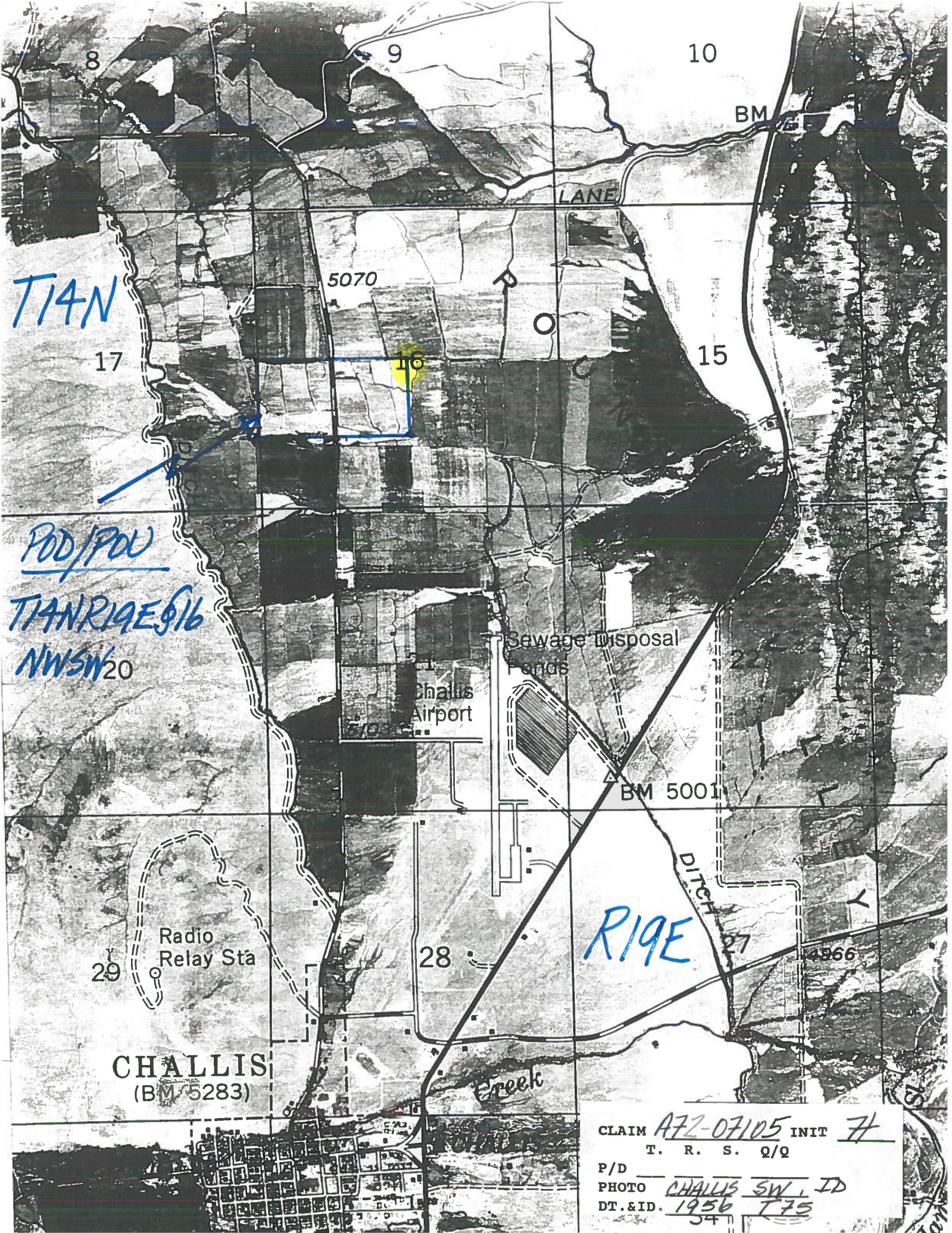
I hereby certify that this instrument was filed for record at the request of Custer County Title

at 04 minutes past 4:00 o'clock P.M.,
this 28th day of December,
1989, in my office, and duly recorded in Book
of Deeds at page

Ethel M. Peck
Ex-Officio Recorder
By Jama Nylin
Deputy:

Fees \$ 3.00
Mail to: CCT

INSTRUMENT No. 193995



CLAIM A72-07105 INIT 7H
T. R. S. Q/Q

P/D
PHOTO CHALLIS SW 1 ID
DT.&ID. 1956 T75
54

WELL WATER AGREEMENT

THIS AGREEMENT made and entered into this 21st day of Aug. 1989 by and between Daniel J. Watson and John Anthony Gilliam at, address Post Office Box 41, Challis, Idaho 83226, herein known as owners.

Recitals

Whereas owners own certain real property known as: T-82-34 (A parcel of land located in N28W4, Sec.16, T14N R19E., Boise Meridian, Custer County Idaho, described as follows: Commencing at the W. Quarter corner of said Sec. 16, from which the NE corner bears N. 0° 20' 22" E., 2641.40 feet; a distance of 807.06 feet on a bearing of S. 89° 27' 52" E. to an existing 1" drill steel; thence S 89° 54' 05" E., 154.91 feet to the Real Point of Beginning. Thence S. 89° 54' 05" E., 375.62 feet; thence S. 2° 01' 54" E., 212.10 feet; Thence S. 3° 07' 23" E., 645.92 feet; thence S. 89° 01' 01" W., 585.61 feet; thence N 0° 48' 42" E., 137.88 feet; Thence S. 89° 54' 05" E., 203.10 feet; thence N 2° 58' 04" W., 731.09 feet; to the Real Point of Beginning, said parcel contains 8.02 acres - Gilliam's).

And T-82-33 (A parcel of land located in N28W4, Sec. 16, T14N R19E Boise Meridian, Custer County, Idaho, more particularly described as follows: Commencing at the W. Quarter corner of said Sec. 16 from which the NW corner bears N. 0° 20' 22" E., 2641.40 feet; a distance of 807.06 feet on a bearing of S. 89° 27' 52" E., to an existing 1" drill steel and the Real Point of Beginning. Thence S. 89° 54' 05" E., 154.91 ft., thence S. 2° 58' 04" E., 731.09 feet; thence N. 80° 54' 05" W., 203.10 feet; thence N 0° 48' 42" E., 730.10 feet the Real Point of Beginning, said parcel contains 3.000 acres. -- Watson's).

Whereas the owners own a water well for culinary purposes on said property; now therefore pursuant to the mutual covenants contained herein, the owners agree as follows:

Article 1. Use of Water Well.

Section 1.01. Use of Water Well. Owners agree that they and their successors will have equal use of water available in water well.

Section 1.02. Maintenance of Water Well. Owners agree that they will share equally in the cost of the maintenance of the well including any casing, pumps, or other equipment necessary to maintain said water well. and shall pay equally for all costs in connection therewith, thereby keeping said water well in a good state of repair.

Article 2. Ownership of Well.

RECEIVED

AUG 13 1997

Department of Water Resources

EXTRA
COPIES
—
08-13-97

Post-It® Fax Note	7671	Date	8/13/97	# of pages	3
To	Frank Hitchcock	From	W. Murphy		
Co./Dept.	ID. Water Resources	Co.	Custer		
Phone #		Phone #	879-2360		
Fax #	736-3037	Fax #	879-5246		

Section 2.01. The ownership of water well shall at all times remain one-half Gilliam or his successor and one-half Watson or his successor.

Article 3. Miscellaneous.

Section 3.01. Notices.

Any notices to be given under this agreement, shall be addressed to the owners at the following address.

John A. Gilliam and Daniel J. Watson
Post Office Box 41
Challis, Idaho 83226

Section 3.02. Binding Effect. This agreement shall insure to the benefit of and be binding on the heirs, executors, administrators, assigns, devisees, and legatees of the parties.

Section 3.03. Venue. The venue for either party to enforce this agreement may be established in Custer County, State of Idaho.

Section. 3.04. Attorneys Fees. In the event of the breach of this Agreement, the losing party shall pay a reasonable attorney's fee for any action brought under this Agreement.

IN WITNESS WHEREOF, the said parties hereto have herunto set their hands the 21st day of August, 1989.

Owners:

John Anthony Gilliam
John Anthony Gilliam

Daniel J. Watson
Daniel J. Watson
by Patsy Hindt
Att. in fact.

STATE OF IDAHO
COUNTY OF CUSTER
On this 21st day of August in the
year 19 89, John A. Gilliam personally appeared
known to me as the owner of the above described premises
and acknowledged to me that

Deann Sundell
Challis, Idaho
Com. exp. 7-15-92

STATE OF IDAHO
COUNTY OF CUSTER
On this 21st day of August in the
year 19 89, Daniel J. Watson personally appeared
known to me as the owner of the above described premises
and acknowledged to me that
thereas as provided in the foregoing instrument of record to me.
Deann Sundell
Notary Public
Residing at Challis, Idaho
Com. exp. 7-15-92

192682

CUSTER COUNTY
REQUEST OF

John A. Hillier

'89 AUG 21 AM 11 15

ETHEL M. PECK, CLERK
Barbara Peck DUTY
FEES \$ 8.00

SCHEDULE B - SECTION 2

File Number: 7184

Special Exceptions:

1. General taxes for the year 1989, which are a lien, payable on or before December 20 of said year. (1988 taxes in the original amount of \$431.04 under assessment No. 5563.)
2. Right, title and interest of the Public in and to those portions of the above premises falling within the bounds of roads and highways.
3. 40 foot easement for access and utilities contained in Deed dated June 8, 1978, from Dannie A. Strand, et. ux., et. al., to Robert E. Baker and Gloria J. Baker, husband and wife, recorded June 30, 1978, as instrument No. 146991, records of Custer County, Idaho.
4. Power Line Easement dated June 1, 1978, from Dannie A. Strand, et. ux., et. al., to Salmon River Electric Co-op., recorded June 21, 1979, as instrument No. 150303, records of Custer County, Idaho.
5. Ditch Easement along the North boundary of said property contained in Deed dated June 28, 1979, from Marck D. Stark and Brenda J. Stark, husband and wife, to Dannie A. Strand, et. ux., et. al., recorded June 29, 1979, as instrument No. 150368, records of Custer County, Idaho.
6. Road Easement contained in the Deed dated December 4, 1981, from John Anthony Gilliam, Grantor to Daniel J. Watson, et. ux., Grantee, recorded December 4, 1981, as instrument No. 161744, records of Custer County, Idaho.
7. Well-Water Agreement dated August 21, 1989, by and between Daniel J. Watson and John Anthony Gilliam, recorded August 21, 1989, as instrument No. 192682, records of Custer County, Idaho.

State of Idaho,
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 72-7105 Priority June 5, 1980 Amount .08 cfs

THIS IS TO CERTIFY, that JOHN A. GILLIAM &/or DAN & IDA WATSON
of Challis, ID, has complied with the terms and conditions of Permit
No. 72-7105 issued pursuant to Application for Permit dated June 5, 1980
and has submitted proof to the Department of Water Resources on August 19, 1980
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of .08 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>1/1</u> to <u>12/31</u> at <u>.08</u> cfs and <u>2.4</u> AF			
<u>(2 units)</u> from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than .08 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.4 acre feet per year, said waters to be diverted within the NWSW, Sec. 16, T14N, R19E
in the County of Custer

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	19E	16										X							

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26th day of
JUNE, 19 81.

Director

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: April 30, 1997

PAGE: 1

RIGHT NUMBER: 72-07105

NAME AND ADDRESS: DAN WATSON
IDA WATSON
JOHN A GILLIAM
PO BOX 41
CHALLIS ID 83226

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS
2.4 AFYTHE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 06/05/1980

POINT OF DIVERSION T14N R19E S16 NWSW Within CUSTER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 2 HOMES	01-01 12-31	0.08 CFS
			2.4 AFY

PLACE OF USE: DOMESTIC Within CUSTER County
T14N R19E S16 NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 14N19E165420AJUN 09 1998
Department of Water Resources
SOUTHERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

April 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

72-07105
DAN WATSON
IDA WATSON
PO BOX 41
CHALLIS ID 83226

RE: Recommended Water Rights Acquired Under State Law
Snake River Basin Adjudication (SRBA)
Domestic and/or Stockwater Rights in Reporting Area 4, Basins 71 and 72

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basins 71 or 72 (the Upper Salmon River Drainage Basin). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basins 71 and 72 will be recommended in a later process.

Note that you have 120 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the Custer County courthouse in Challis, the Blaine County courthouse in Hailey, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

NO FORWARDING ORDER ON FILE
UNDELIVERABLE AS ADDRESSED
TO
SENDER

IMPORTANT WATER RIGHT INFORMATION

NO 09 1997

Department of Water Resources

PRESORTED
FIRST CLASS



RECEIVED
MAY 5 - 1997
Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A72-07105
Date Received: 9/22/1989
Receipt No: 5809503
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN A. GILLIAM 208-879-4311
Address: P. O. BOX 41
CHALLIS, ID 83226

Name: DAN WATSON
Address: CHALLIS, ID 83226

Name: IDA WATSON
Address:

2. Date of Priority: JUN 05, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	19E	16	NW	SW			CUSTER

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		2.40

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 2.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOMES.

A72-07105

Page 1

Date: 09/22/89

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MAR 19 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	16	NW SW		DOMEST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
CHALLIS CREEK

14. Remarks:

15. Basis of Claim: LICENSE

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): John A. Luni Date: 9-28-89
Date:

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of September 19 89 Susan Swindell
Notary Public

Seal

Residing at Challis, Idaho
My Commission Expires 7-15-92

[illegible]

*** C - CURRENT OWNER ***
GILLIAM

JOHN A.

1 - P. O. BOX 41
2 -

State- ID Zip- 83226

WATSON

DAN

WATSON

IDA

State-	Zip-
AL	35004
AL	35006
AL	35009
AL	35010
AL	35013
AL	35015
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City-
Phone -

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+ - - Priority Date - - +      + - - Region - - +      + - - Stage - - +      + - - Status - - +
                                17                               L - LICENSE
                                06/05/1980
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+ - - - - Source - - - - - +
GROUNDWATER
+ - - - - Tributary - - - - - +

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

14N	19E	16	NW SW	(37)	CUSTER
+	-	-	-	-	-
Code	Description	Period From	Water Use	Diversion Rate	Diversion Volume

	43 - DOMESTIC	01/01	12/31	0.080	2.40
+ - Total Div. Rate	- +	+ - Total Div. Volume	- +	+ - Total Div. Capacity	- +
	0.080		2.40		

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
14N	19E	16	NW SW			43	DOMESTIC	(37) CUSTER

Total Acres:

+ - - Diversion Means - WELL & PUMP.

1 - Non-Irrigation Use - D/2 HOMES.

- - - Other Rights for Same Use -

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MAR 19 1993

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MAR 19 1993



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

09/27/1989

JOHN A. GILLIAM
BOX 41
CHALLIS, ID 83226

DEAR MR. GILLIAM:

ENCLOSED PLEASE FIND 2 SETS OF YOUR CLAIM COPIES. KEEP THE INDICATED SET FOR YOUR RECORDS AND RETURN THE 2ND SET SIGNED AND NOTARIZED WITH THE BALANCE DUE.

THE FEE BREAKDOWN IS:

	FEE	ACRES	TOTAL
A72-07105	\$25	--	\$25
A72-00020A	50	8	58

TOTAL DUE			\$83

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT OUR OFFICE, 734-3578. THANK YOU FOR FILING.

SINCERELY,

A handwritten signature in cursive script that reads "Lori White".

LORI WHITE
SR. WATER RESOURCE AGENT

ENCL:

MICROFILMED

MAR 19 1993

