

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: **A72-04180D**
Date Received: 12/ 4/1989
Receipt No: M005296
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: NANCY J DRINKWALTER
Address: PO BOX 716
CHALLIS ID

208-879-4914

83326

2. Date of Priority: MAY 1, 1879

3. Source: CHALLIS CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	7	SW	SW	NW		CUSTER

5. Description of diverting works:
CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.030		

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

A.F.A.

8. Total consumptive use is

5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	16	SW	SW		IRR	2.0

Section Acres 2.0

10. Place of Use: Continued

Total Acres 2.0

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:

72-4179

14. Remarks:

THIS CLAIM IS FOR 3.93% OF CLAIM 72-4180.

4-20-98: OWNERSHIP CHANGE MC GOWEN TO DRINKWALTER PER NOTICE

REC'D 3-31-98 - VH

15. Basis of Claim: BENEFICIAL USE

A72-04180 D

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent VIKIE HANCOCK

DATE: May 4, 1998

CUSTOMER: Nancy Drinkwater

She called me to say that she didn't own the property with Water Right A72-04180E, and that someone else had filled the form out for her. She was confused by the AJ process, so I explained it to her and told her to examine her Notice of Claim and contact a AJ Agent if she had questions.

walk-in () phone (X)

SUBJECT:



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 20, 1998

Drinkwater

Nancy J. ~~Drinkwater~~
PO Box 716
Challis, Idaho 83226

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): **A72-04180D**
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. Although you included Adjudication Claim number A72-04180E on your Notice of Change of Ownership, you did not attach any documents indicating that you purchased the property to which that claim is appurtenant. If you indeed did purchase that property, please forward the appropriate documents and I will process that change.

I have enclosed a profile report of claim number A72-04180E. If you have any questions, please contact me at this office.

Sincerely,

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

RECEIVED

RECEIVED

MAR 31 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

JAN 26 1998

Department of Water Resources
Southern RegionDepartment of Water Resources
Southern Region

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): A/R A 72-04180 B
72-04180 E (See Attached documents)
Adjudication Claim No(s): A72-041790
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 Tim & Marla M^e Gowan
215 W Arizona
4. New Owner/Claimant(s) Home Dale, Id. 83628
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address Nancy J. Drinkwater
City, State and ZIP Code P.O. Box 716 Challis ID 83226
New Telephone Number (208) 879-4914
5. Date you acquired the property 1/23/98
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 1.3 Number and type of stock —
Diversion rate in CPS 0.30 Number of homes 1 Other uses —
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) X Nancy J. Drinkwater

(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..

Ms. Nancy Drinkwater
P.O. Box 716
Challis, ID 83226-0716

0215071

WARRANTY DEED

For Value Received JAMES A. MCGOWAN AND MARLA MCGOWAN, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto NANCY J. DRINKWALTER, presumptively an unmarried person, the Grantees, whose current address is P.O. Box 716, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land situated in Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 16, a 1" hex drill steel; thence South 89°23'30" East along the South boundary of said Section 16 a distance of 748.00 feet to a ½" bar, a TRUE POINT OF BEGINNING; thence North 0°36'26" East a distance of 480.04 feet to a ½" bar; thence South 89°23'30" East a distance of 200.48 feet to a 5/8" bar; thence South 1°20'55" West a distance of 480.08 feet to a point on the South boundary of said Section 16, a 5/8" bar; thence North 89°23'30" West a distance of 194.27 feet to the True Point of Beginning.

This parcel is subject to a 15 foot road easement along the South boundary.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances 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 HE/SHE/THEY will warrant and defend the same from all lawful claims whatsoever.

Dated: This 23 day of January, 1998.

James A. McGowan
JAMES A. MCGOWAN

Marla G. McGowan
MARLA MCGOWAN

STATE OF IDAHO)

: ss

County of Canyon)

On this 23rd day of January
1998, before

me, a Notary Public, personally appeared James A. McGowan
and Marla G. McGowan

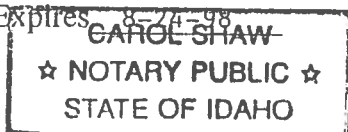
known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that they executed the same.

Carol Shaw

Notary Public for Idaho

Residing at Nampa

Commission Expires 8-24-98



STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County, Title
at 15 minutes past 4
o'clock P.M., this 26 day of Jan.
1998, in my office, and duly recorded in Book
_____ of Deeds at page _____.

Ethel M. Peck

Ex-Officio Recorder

BY Wendy Murphy

Deputy

Fee: \$ 3.00
Mail to:



POLICY OF TITLE INSURANCE



ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.



CUSTER COUNTY TITLE, INC.
8th & Main
P.O. Box 370
Challis, ID 83226
(208) 879-4424
Fax: (208) 879-5249
Agent for:

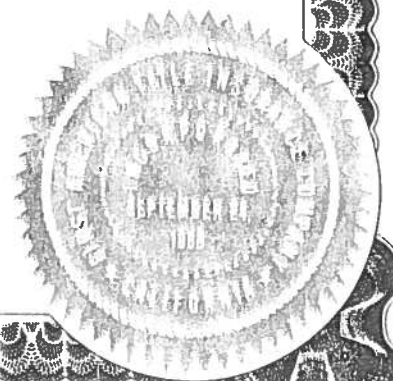
First American Title Insurance Company

First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Amey* SECRETARY
COUNTERSIGNED BY: *Cathy Kindt*

J 531061



EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the Insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (a) to timely record the instrument of transfer; or
 - (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

CONDITIONS AND STIPULATIONS

1. DEFINITION OF TERMS.

The following terms when used in this policy mean:

(a) "insured": the insured named in Schedule A, and, subject to any rights or defenses the Company would have had against the named insured, those who succeed to the interest of the named insured by operation of law as distinguished from purchase including, but not limited to, heirs, distributees, devisees, survivors, personal representatives, next of kin, or corporate or fiduciary successors.

(b) "insured claimant": an insured claiming loss or damage.

(c) "knowledge" or "known": actual knowledge, not constructive knowledge or notice which may be imputed to an insured by reason of the public records as defined in this policy or any other records which impart constructive notice of matters affecting the land.

(d) "land": the land described or referred to in Schedule (A), and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A), nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways, but nothing herein shall modify or limit the extent to which a right of access to and from the land is insured by this policy.

(e) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.

(f) "public records": records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge. With respect to Section 1(a)(iv) of the Exclusions From Coverage, "public records" shall also include environmental protection liens filed in the records of the clerk of the United States district court for the district in which the land is located.

(g) "unmarketability of the title": an alleged or apparent matter affecting the title to the land, not excluded or excepted from coverage, which would entitle a purchaser of the estate or interest described in Schedule A to be released from the obligation to purchase by virtue of a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE AFTER CONVEYANCE OF TITLE.

The coverage of this policy shall continue in force as of Date of Policy in favor of an insured only so long as the

by this policy which constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the insured claimant to provide the required proof of loss or damage, the Company's obligations to the insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such proof of loss or damage.

In addition, the insured claimant may reasonably be required to submit to examination under oath by any authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Policy, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the insured claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the insured claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the insured claimant to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in this paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

6. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY.

In case of a claim under this policy, the Company shall have the following additional options:

(a) To Pay or Tender Payment of the Amount of Insurance.

To pay or tender payment of the amount of insurance under this policy together with any costs, attorneys' fees and expenses incurred by the insured claimant, which were authorized by the Company, up to the time of payment or tender of payment and which the Company is obligated to pay.

Upon the exercise by the Company of this option, all

for any loss or damage caused thereby.

(b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction and disposition of all appeals therefrom, adverse to the till as insured.

(c) The Company shall not be liable for loss or damage to any insured for liability voluntarily assumed by the insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY.

All payments under this policy, except payments made for costs, attorneys' fees and expenses, shall reduce the amount of the insurance pro tanto.

11. LIABILITY NONCUMULATIVE.

It is expressly understood that the Amount of Insurance under this policy shall be reduced by any amount the Company may pay under any policy insuring a mortgage which exception is taken in Schedule B or to which it insured has agreed, assumed, or taken subject, or which hereafter executed by an insured and which is a charge lien on the estate or interest described or referred to in Schedule A, and the amount so paid shall be deemed payment under this policy to the insured owner.

12. PAYMENT OF LOSS.

(a) No payment shall be made without producing to the Company for endorsement of the payment unless the policy has been lost or destroyed, in which case proof of loss destruction shall be furnished to the satisfaction of the Company.

(b) When liability and the extent of loss or damage been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within days thereafter.

13. SUBROGATION UPON PAYMENT OR SETTLEMENT.

(a) The Company's Right of Subrogation. Whenever the Company shall have settled and paid a claim under this policy, all right of subrogation shall vest

The coverage of this policy shall continue in force as of Date of Policy in favor of an insured only so long as the

of payment and which the Company is obligated to pay.

Upon the exercise by the Company of this option, all

(a) The Company's Right of Subrogation.
Whenever the Company shall have settled and paid a claim under this policy, all right of subrogation shall vest in

SCHEDULE A

Order No. 9708

Policy No. J 531061

Amount of Insurance: ~~770,000.00~~

Premium \$695.00

Date of Policy: January 26, 1998 4:15 P.M.

1. Name of Insured:

NANCY J. DRINKWALTER, presumptively an unmarried person

2. The estate or interest in the land which is covered by this policy is:

A FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

NANCY J. DRINKWALTER, presumptively an unmarried person

4. The land referred to in this policy is described as follows:

See attached Schedule C

SCHEDULE B

Order No. 9708

Policy No. J 531061

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

SECTION 1

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; © water rights, claims or title to water whether or not the matters excepted under (a), (b), or © are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. General taxes for the year 1998, which are a lien, payable on or before December 20 of said year.
8. Easements for ingress and egress dated November 4, 1977, recorded November 4, 1977, as instrument No. 145888, records of Custer County, Idaho.

SCHEDULE B - Continued

Order No. 9708

Policy No. J 531061

9. Pipeline Easement dated September 28, 1979, recorded October 29, 1979, as instrument No. 152133, records of Custer County, Idaho.
10. Maintenance Agreement dated April 23, 1985, by and between Ted R. Strickler, et. ux., et. al., to the Public, recorded April 26, 1985, as instrument No. 173750, records of Custer County, Idaho.
11. Revocation of Covenant dated April 11, 1988, from Theodore E. Strickler, et. ux., to the Public, recorded April 25, 1988, as instrument no. 188611, records of Custer County, Idaho.
12. Deed of Trust dated January 23, 1998, executed by Nancy J. Drinkwalter, an unmarried woman, to Custer County Title, Inc., Trustee, for Mann Financial, Inc., d/b/a Mann Mortgage, Beneficiary, securing the payment of \$128,250.00 and interest, recorded January 26, 1998, as instrument No. 215072. Assignment of Deed of Trust dated January 23, 1998, from Mann Financial, Inc., d/b/a Mann Mortgage, to Source One Mortgage Services Corporation, recorded January 26, 1998, as instrument No. 215073, all records of Custer County, Idaho.

SCHEDULE C

Order No. 9708

Policy No. J 531061

The land referred to in this policy is situated in the State of Idaho, County of Custer and is described as follows:

A parcel of land situated in Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 16, a 1" hex drill steel; thence South $89^{\circ}23'30''$ East along the South boundary of said Section 16 a distance of 748.00 feet to a $\frac{1}{2}$ " bar, the TRUE POINT OF BEGINNING; thence North $0^{\circ}36'26''$ East a distance of 480.04 feet to a $\frac{1}{2}$ " bar; thence South $89^{\circ}23'30''$ East a distance of 200.48 feet to a $\frac{5}{8}$ " bar; thence South $1^{\circ}20'55''$ West a distance of 480.08 feet to a point on the South boundary of said Section 16, a $\frac{5}{8}$ " bar; thence North $89^{\circ}23'30''$ West a distance of 194.27 feet to the True Point of Beginning.

This parcel is subject to a 15 foot road easement along the South boundary.

purchase money mortgage given to the insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT.

The insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 4(a) below, (ii) in case knowledge shall come to an insured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as insured, and which might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if title to the estate or interest, as insured, is rejected as unmarketable. If prompt notice shall not be given to the Company, then as to the insured all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any insured under this policy unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.

4. DEFENSE AND PROSECUTION OF ACTIONS; DUTY OF INSURED CLAIMANT TO COOPERATE.

(a) Upon written request by the insured and subject to the options contained in Section 6 of these Conditions and Stipulations, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an insured in litigation in which any third party asserts a claim adverse to the title or interest as insured, but only as to those stated causes of action alleging a defect, lien or encumbrance or other matter insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the insured to object for reasonable cause) to represent the insured as to those stated causes of action and shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs or expenses incurred by the insured in the defense of those causes of action which allege matters not insured against by this policy.

(h) The Company shall have the right, at its own cost, to institute and prosecute any action or proceeding or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest, as insured, or to prevent or reduce loss or damage to the insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this policy. If the Company shall exercise its rights under this paragraph, it shall do so diligently.

(c) Whenever the Company shall have brought an action or interposed a defense as required or permitted by the provisions of this policy, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from any adverse judgment or order.

(d) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding, the insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of the insured for this purpose. Whenever requested by the Company, the insured, at the Company's expense, shall give the Company all reasonable aid (i) in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as insured. If the Company is prejudiced by the failure of the insured to furnish the required cooperation, the Company's obligations to the insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.

5. PROOF OF LOSS OR DAMAGE.

In addition to and after the notices required under Section 3 of these Conditions and Stipulations have been provided the Company, a proof of loss or damage signed and sworn to by the insured claimant shall be furnished to the Company within 90 days after the insured claimant shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the defect in, or lien or encumbrance on the title, or other matter insured against

against under this policy, together with any costs, attorneys' fees and expenses incurred by the insured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay; or

(ii) to pay or otherwise settle with the Insured claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees and expenses incurred by the insured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in paragraphs (b)(i) or (ii), the Company's obligations to the insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute or continue any litigation.

7. DETERMINATION, EXTENT OF LIABILITY AND COINSURANCE.

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the insured claimant who has suffered loss or damage by reason of matters insured against by this policy and only to the extent herein described.

(a) The liability of the Company under this policy shall not exceed the least of:

(i) the Amount of Insurance stated in Schedule A; or

(ii) the difference between the value of the insured estate or interest as insured and the value of the insured estate or interest subject to the defect, lien or encumbrance insured against by this policy.

(b) In the event the Amount of Insurance stated in Schedule A at the Date of Policy is less than 80 percent of the value of the insured estate or interest or the full consideration paid for the land, whichever is less, or if subsequent to the Date of Policy an improvement is erected on the land which increases the value of the insured estate or interest by at least 20 percent over the Amount of Insurance stated in Schedule A, then this Policy is subject to the following:

(i) where no subsequent improvement has been made, as to any partial loss, the Company shall only pay the loss pro rata in the proportion that the Amount of Insurance at Date of Policy bears to the total value of the insured estate or interest at Date of Policy; or (ii) where a subsequent improvement has been made, as to any partial loss, the Company shall only pay the loss pro rata in the proportion that 120 percent of the Amount of Insurance stated in Schedule A bears to the sum of the Amount of Insurance stated in Schedule A and the amount expended for the improvement.

The provisions of this paragraph shall not apply to costs, attorneys' fees and expenses for which the Company is liable under this policy, and shall only apply to that portion of any loss which exceeds, in the aggregate, 10 percent of the Amount of Insurance stated in Schedule A.

(c) The Company will pay only those costs, attorneys' fees and expenses incurred in accordance with Section 4 of these Conditions and Stipulations.

8. APPORTIONMENT.

If the land described in Schedule (A)(C) consists of two or more parcels which are not used as a single site, and a loss is established affecting one or more of the parcels but not all, the loss shall be computed and settled on a pro rata basis as if the Amount of Insurance under this policy was divided pro rata as to the value on Date of Policy of each separate parcel to the whole, exclusive of any improvements made subsequent to Date of Policy, unless a liability or value has otherwise been agreed upon as to each parcel by the Company and the insured at the time of the issuance of this policy and shown by an express statement or by an endorsement attached to this policy.

9. LIMITATION OF LIABILITY.

(a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures the lack of a right of access to or from the land, or cures the claim of unmarketability of title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable

settle in the name of the Insured claimant and to use the name of the Insured claimant in any transaction or litigation involving these rights or remedies.

If a payment on account of a claim does not fully cover the loss of the insured claimant, the Company shall be subrogated to these rights and remedies in the proportion which the Company's payment bears to the whole amount of the loss.

If loss should result from any act of the Insured claimant, as stated above, that act shall not void this policy, but the Company, in that event, shall be required to pay only that part of any losses insured against by this policy which shall exceed the amount, if any, lost to the Company by reason of the impairment by the insured claimant of the Company's right of subrogation.

(b) The Company's Rights Against non-insured Obligors.

The Company's right of subrogation against non-insured obligors shall exist and shall include, without limitation, the rights of the insured to indemnities, guaranties, other policies of insurance or bonds, notwithstanding any terms or conditions contained in those instruments which provide for subrogation rights by reason of this policy.

14. ARBITRATION.

Unless prohibited by applicable law, either the Company or the insured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. All arbitrable matters when the Amount of Insurance is \$1,000,000 or less shall be arbitrated at the option of either the Company or the insured. All arbitrable matters when the Amount of Insurance is in excess of \$1,000,000 shall be arbitrated only when agreed to by both the Company and the insured. Arbitration pursuant to this policy and under the Rules in effect on the date the demand for arbitration is made or, at the option of the insured, the Rules in effect at Date of Policy shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permit a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the Company upon request.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT.

(a) This policy together with all endorsements, if any, attached hereto by the Company is the entire policy and contract between the insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.

(b) Any claim of loss or damage, whether or not based on negligence, and which arises out of the status of the title to the estate or interest covered hereby or by any action asserting such claim, shall be restricted to this policy.

(c) No amendment of or endorsement to this policy can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

16. SEVERABILITY.

In the event any provision of the policy is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision and all other provisions shall remain in full force and effect.

17. NOTICES, WHERE SENT.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this policy and shall be addressed to the Company at 114 East Fifth Street, Santa Ana, California 92701, or to the office which issued this policy.



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

March 19, 1998

PHILIP E. BATT
GOVERNOR

RECEIVED

KARL J. DREHER
DIRECTOR

MAR 31 1998

NANCY J DRINKWALTER
PO BOX 716
CHALLIS ID 83226

Department of Water Resources
Southern Region

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A72-04180D

Dear Ms. Drinkwalter:

Thank you for returning the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, I need a copy of your warranty deed, title policy or contract of sale (with attached legal description) along with a plat or survey map.

*done
it
in
mailing*

I am returning your original ownership change form. Please attach the required information and return the entire packet to me in the enclosed self-addressed envelope. As soon as I receive this information, I will update our records and notify you by mail when the changes have been completed.

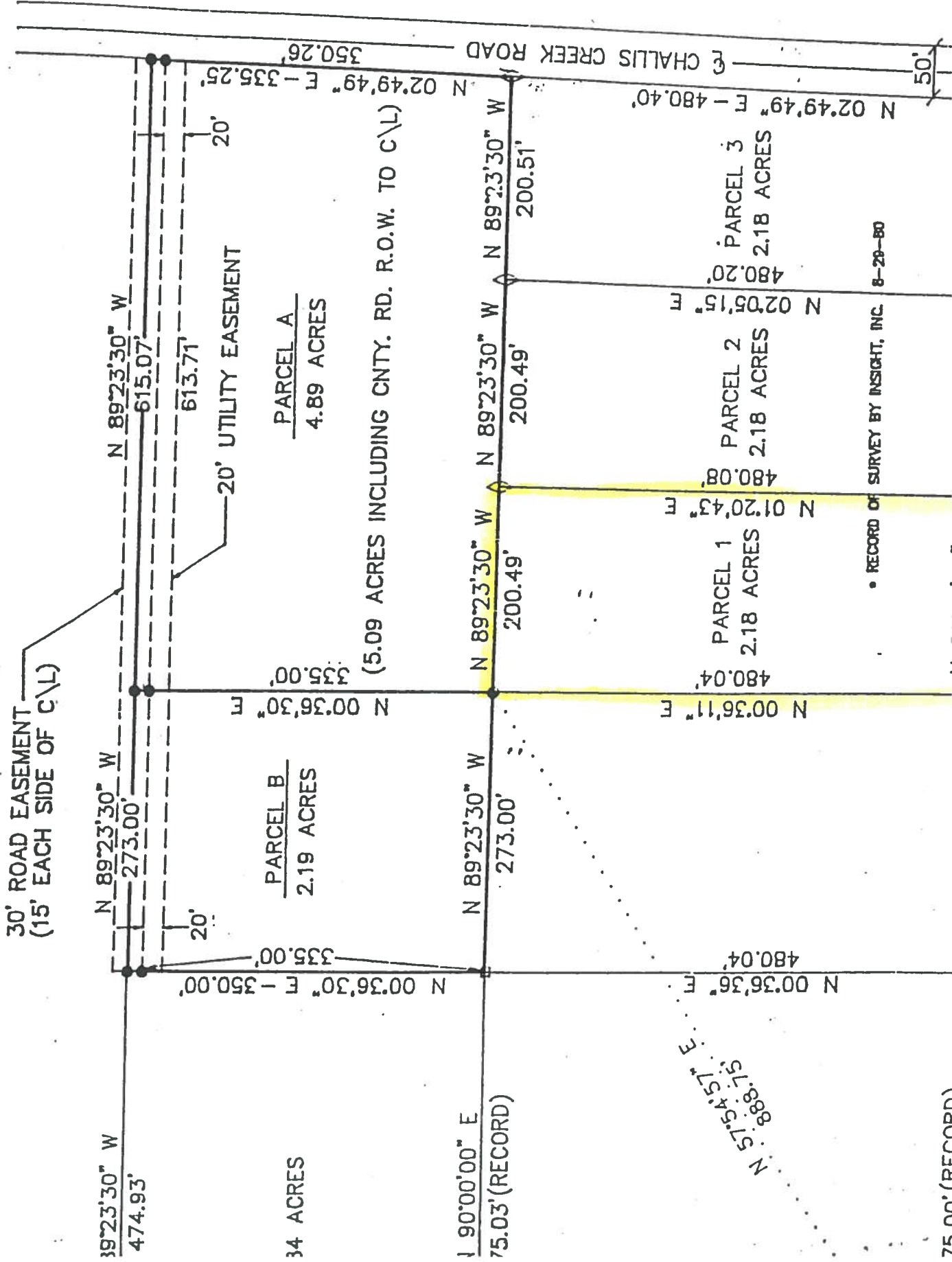
Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

72-04180 D



#52

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: A72-04180D
Date Received: 12/04/1989
Receipt No: MOO 5296
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARLA G. MC GOWAN 208-879-4301
Address: HC 63, BOX 1530
CHALLIS, ID 83226

AND/OR

Name: JAMES A. MC GOWAN 208-879-4301
Address: HC 63, BOX 1530
CHALLIS, ID 83226

2. Date of Priority: MAY 01, 1879

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	7	SW	SW	NW		CUSTER

5. Description of diverting works:
HIGH LINE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.030		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A72-04180D

Page 1

Date: 12/04/89

MICROFILMED

MAR 1 8 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	16	SW SW		IRR	2.0
Section Acres						2.0
Total Acres						2.0

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:
72-4179

14. Remarks:
THIS CLAIM IS FOR 3.93% OF CLAIM 72-4180.

15. Basis of Claim: BENEFICIAL USE

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): Marela McGowan Date: 12/4/89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of December 19 89

Anthony L. Olmsted
Notary Public

Seal

Residing at Shosh Falls
My Commission Expires 9/12/1994

WARRANTY DEED

For Value Received GARY D. HENDERSON AND G. KAYE HENDERSON, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto JAMES A. MCGOWAN AND MARLA MCGOWAN, husband and wife

the grantors, whose current address is HC 63 Box 1510, Challis, Idaho 83226

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

A parcel of land situated in Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 16, a 1" hex drill steel; thence South 89°23'30" East along the South boundary of said Section 16 a distance of 748.00 feet to a 1/2" bar, the TRUE POINT OF BEGINNING; thence North 0°36'26" East a distance of 480.04 feet to a 1/2" bar; thence South 89°23'30" East a distance of 200.48 feet to a 5/8" bar; thence South 1°20'55" West a distance of 480.08 feet to a point on the South boundary of said Section 16, a 5/8" bar; thence North 89°23'30" West a distance of 194.27 feet to the True Point of Beginning.

This parcel is subject to a 15 foot road easement along the South boundary.

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

March 2, 1992

R. KEITH HIGGINSON
Director

A72-041800
MARLA G. MC GOWAN
JAMES A. MC GOWAN
HC 63, BOX 1530
CHALLIS

ID 83226

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

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

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

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

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

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

*Recommended as part of Decreed
Right 72-00004A after research
Priority Date 5/1/1879*

MICROFILMED

MAR 18 1993

1/7/2002

Sandra Armbrust
Brent Ivie
PO BOX 851
Challis ID 83226

RE: Partial Decree 72-4180D

Dear Brent and Sandra,

I am finally getting the requested copies from the claim file to you. I apologize that there was a delay. I've numbered the enclosures and offer the following observations of them for your information and understanding.

Enclosure 1 is the claim file made by McGowen in 1989. Enclosure 2 is the entire Final Order for the administrative decision for transfer #4302. This Order was the basis for our recommendation in the Snake River Basin Adjudication for right number 72-4180D. Enclosure 3 is a computer record printout reflecting the information submitted in IDWR's Director's Report to the SRBA Court (and that was Partial Decreed by the Court). Enclosure 4 is a color map depicting the place of use for your water right. Enclosures 5 and 6 are maps utilized during development of the recommendation to locate the property involving this right.

I hope this information provides you with some understanding of the water right issues that led to the information contained in the Partial Decree you received. If you have other questions please get back in touch with me.

Sincerely,



Douglas Jones, PE
Water Rights Supervisor
Southern Adjudication Unit

WARRANTY DEED

For Value Received GARY D. HENDERSON AND G. KAYE HENDERSON, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto JAMES A. McGOWAN AND MARLA McGOWAN, husband and wife

the grantees, whose current address is HC 63 Box 1510, Challis, Idaho 83226

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

A parcel of land situated in Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 16, a 1" hex drill steel; thence South 89°23'30" East along the South boundary of said Section 16 a distance of 748.00 feet to a 1/2" bar, the TRUE POINT OF BEGINNING; thence North 0°36'26" East a distance of 480.04 feet to a 1/2" bar; thence South 89°23'30" East a distance of 200.48 feet to a 5/8" bar; thence South 1°20'55" West a distance of 480.08 feet to a point on the South boundary of said Section 16, a 5/8" bar; thence North 89°23'30" West a distance of 194.27 feet to the True Point of Beginning.

This parcel is subject to a 15 foot road easement along the South boundary.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners 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 17 day of November, 1989.

X [Signature]
GARY D. HENDERSON

X G. Kaye Henderson
G. KAYE HENDERSON

STATE OF IDAHO

COUNTY OF

On this 17 day of November, in the year 19 89, before me, a Notary Public, personally appeared Gary D. Henderson and G. Kaye Henderson, 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.

[Signature]
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 59 minutes past 3:00 o'clock PM., this 20 day of November, 19 89, in my office, and duly recorded in Book of Deeds at page

[Signature]
Ex-Officio Recorder

By [Signature] Deputy.

Fees \$ 3.00
Mail to: CCT

INSTRUMENT No. 192011

Chicago Title Insurance
Company of Idaho



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



NANCY T. DRINKWALTER
PO BOX 74633
CHA

832262005 1700 05 08/25/00

DRINKWALTER, NANCY
74633 KANGAROO COURT LN
IRRIGON OR 97844-7206
RETURN TO SENDER

832262005 1700 05 08/25/00



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

72-04180D

SOUTHERN REGION

August 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRENT IVIE
SANDRA K ARMBRUST
PO BOX 851
CHALLIS ID 83226

RE: SRBA Claim(s) 72-04180D

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: Nancy Drinkwalter

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. 72-04180D

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

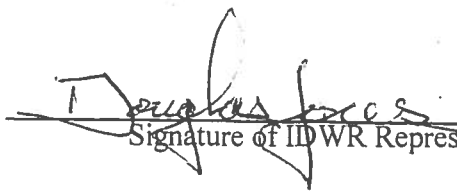
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Nancy J Drinkwalter
PO Box 716
Challis ID 83226
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Brent Ivie
Sandra K Armbrust
PO Box 851
Challis ID 83226
4. One Copy to:
Each party in the subcase or attorney of record:
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

08/15/2000

RIGHT NUMBER: 72-4180D

NAME AND ADDRESS: SANDRA K ARMBRUST
BRENT IVIE
PO BOX 851
CHALLIS, ID 83226

SOURCE: CHALLIS CREEK TRIBUTARY: Salmon River

QUANTITY: 0.025 CFS

PRIORITY DATE: 05/01/1879

POINT OF DIVERSION: T14N R19E S7 LOT 10 SWNNWN Within CUSTER County
T14N R19E S17 NESWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	0.025 CFS

PLACE OF USE:

IRRIGATION Within CUSTER County
T14N R19E S16 SWSW 1.2
1.2 ACRES TOTAL

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

A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.

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.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
THIS RIGHT IS A PART OF DECREED RIGHT NO. 72-00004A
DIVERSION RATE OF THIS RIGHT IS 0.025 CFS AS SET BY APPROVED TRANSFER NO. 4302

COPY

200 AUG 21 AM 10:13

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

SUBCASE NO. 72-04180D

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

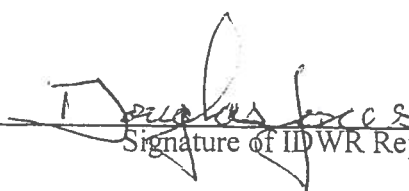
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Nancy J Drinkwalter
PO Box 716
Challis ID 83226
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Brent Ivie
Sandra K Armbrust
PO Box 851
Challis ID 83226
4. One Copy to:
Each party in the subcase or attorney of record:
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

08/15/2000

RIGHT NUMBER: 72-4180D

NAME AND ADDRESS: SANDRA K ARMBRUST
BRENT IVIE
PO BOX 851
CHALLIS, ID 83226

SOURCE: CHALLIS CREEK TRIBUTARY: Salmon River

QUANTITY: 0.025 CFS

PRIORITY DATE: 05/01/1879

POINT OF DIVERSION: T14N R19E S7 LOT 10 SWNNWN Within CUSTER County
T14N R19E S17 NESWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	0.025 CFS

PLACE OF USE:

IRRIGATION Within CUSTER County
T14N R19E S16 SWSW 1.2
1.2 ACRES TOTAL

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

A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.

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.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A PART OF DECREED RIGHT NO. 72-00004A
DIVERSION RATE OF THIS RIGHT IS 0.025 CFS AS SET BY
APPROVED TRANSFER NO. 4302



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

BRENT IVIE
SANDRA K ARMBRUST
PO BOX 851
CHALLIS ID 83226

RE: SRBA Claim(s) 72-04180D

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: Nancy Drinkwalter

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
AUG 10 2000
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).: 72-04180D
Adjudication Claim No(s).: _____

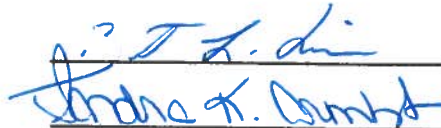
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY 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 Nancy J. Drinkwater
P.O. Box 716 Challis, ID 83226

4. New Owner/Claimant(s) Brent Ivie and Sandra K. Armbrust
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P.O. Box 851
City, State and ZIP Code Challis, ID 83226
New Telephone Number (208) 879-2497

5. Date you acquired the property 8/8/00

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) 
(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..

WARRANTY DEED

For Value Received NANCY J. DRINKWALTER, presumptively an unmarried person, the Grantor, does hereby grant, bargain, sell and convey unto SANDRA K. ARMBRUST, an unmarried person and BRENT L. IVIE, an unmarried person, the Grantees, whose current address is P.O. Box 851, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land situated in Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 16, a 1" hex drill steel; thence South 89°23'30" East along the South boundary of said Section 16 a distance of 748.00 feet to a 1/2" bar, the TRUE POINT OF BEGINNING; thence North 0°36'26" East a distance of 480.04 feet to a 1/2" bar; thence South 89°23'30" East a distance of 200.48 feet to a 5/8" bar; thence South 1°20'55" West a distance of 480.08 feet to a point on the South boundary of said Section 16, a 5/8" bar; thence North 89°23'30" West a distance of 194.27 feet to the True Point of Beginning.

This parcel is subject to a 15 foot road easement along the South boundary.

TO HAVE AND TO HOLD the said premises, with her appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that she is free from all encumbrances 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 she will warrant and defend the same from all lawful claims whatsoever.

Dated: This 4 day of August, 2000.

Nancy J. Drinkwalter

**CUSTER COUNTY TITLE, INC.
P.O. Box 370
8th & Main
Challis, ID 83226 208 879-4424**

RECEIVED
AUG 10 2000
Department of Water Resources
Southern Region

August 9, 2000

RE: 10349: Drinkwalter - Armbrust/Ivie

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

Dear Sirs,

Please find enclosed a copy of the original Warranty Deed, Notice of Change of Water Right Ownership and an Idaho Department of Water Resources Adjudication Claim Profile Report.

Please send any future correspondence to the new owners, Brent Ivie and Sandra K. Armbrust.

Please call with any questions.

Respectfully,

M Bruno

Mindy Bruno
Secretary

enc.

Water Source: CHALLIS CREEK

Place of use legal description for: IRRIGATION

POW County: CUSTER

Non-Irrigation Uses: NONE

Conditions of Approval:

- | | | |
|------|---|---|
| CC05 | - | RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PERMITS. |
| | - | SECTION 42-1425, IDAHO CODE. |
| MM04 | - | A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS. |
| 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: GEN

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

END

THIS RIGHT IS A PART OF DECREED RIGHT NO. 72-00004A.
DIVERSION RATE OF THIS RIGHT IS 0.025 CFS AS SET BY APPROVED
TRANSFER NO. 4302.

Dates: Exam Made Date: 12/16/1998 Verified Date: 12/16/1998 Objection Filed Date:

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

Comments: Date: 01/12/1994 User-ID: WORSTELL Subject: COPIED FROM REMARKS
 THIS CLAIM IS FOR 3.93% OF CLAIM 72-4180.

Date: 01/12/1994 User-ID: WORSTELL Subject: PRIORITY DATE
 THIS CLAIM IS RECOMMENDED AS PART OF DECREED RIGHT 72-00004A WITH
 AN UN-RECORDED CHANGE IN PLACE OF USE.

Date: 11/10/1998 User-ID: JROBERTS Subject: COPIED FROM REMARKS
 4-20-98: OWNERSHIP CHANGE MC GOWAN TO DRINKWATER PER NOTICE REC'D
 3-31-98 - VN

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
 CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
 OF RECORD THRU AJU10.

Date: 12/16/1998 User-ID: JROBERTS Subject: CHANGED "USE" DIVERSION RATE
 FIXED TYPO IN WATER USE DIVERSION RATE TO .025 CFS WHICH MATCHES
 TOTAL DIVERSION RATE AS PER APPROVED TRANSFER NO. 4302.

Audit: 10/28/92 WORSTELL 01/12/94 WORSTELL 01/17/94 WORSTELL 03/30/95 POST-STD
 04/20/98 VANCECOCK 11/10/98 JROBERTS 11/11/98 JROBERTS 11/21/98 AJU10-DS
 12/16/98 JROBERTS 01/17/99 CPD SHAFF 02/04/99 ADI-DSHA

AJ0749NP
No. R72-04180D

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

DATE: 12/16/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NANCY J DRINKWATER	05/01/1879	IRRIGATION	04-01 10-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: CHALLIS CREEK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T14N R19E S07 Lot10(SHMMW)
Point(s) of Re-diversion: T14N R19E S17 NESMS

CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

NE	NW	SW	SE	SUM	
T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac	NESE	NWSE	SWSE	SESE	
14N 19E 16 :	:	:	:	:	SUM
					1.2
					1.2
TOTAL ACRES					1.2

POU County: CUSTER

Non-Irrigation Uses: NONE

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- M04 - A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.
- 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: GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

EXP THIS RIGHT IS A PART OF DECREED RIGHT NO. 72-00004A.
DIVERSION RATE OF THIS RIGHT IS 0.025 CFS AS SET BY APPROVED TRANSFER NO. 4302.

AJ0749NP
No. R72-041800

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

DATE: 12/16/98
PAGE: 2

Dates: Exam Made Date: Verified Date: 12/16/1998 Objection Filed Date:

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

Comments: Date: 01/12/1994 User-ID: WORSTELL Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 3.93% OF CLAIM 72-4180.

Date: 01/12/1994 User-ID: WORSTELL Subject: PRIORITY DATE
THIS CLAIM IS RECOMMENDED AS PART OF DECREED RIGHT 72-00004A WITH
AN UN-RECORDED CHANGE IN PLACE OF USE.

Date: 11/10/1998 User-ID: JROBERTS Subject: COPIED FROM REMARKS
4-20-98: OWNERSHIP CHANGE MC GOWAN TO DRINKWATER PER NOTICE REC'D
3-31-98 - VH

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU1D CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 12/16/1998 User-ID: JROBERTS Subject: CHANGED "USE" DIVERSION RATE
FIXED TYPO IN WATER USE DIVERSION RATE TO .025 CFS WHICH MATCHES
TOTAL DIVERSION RATE AS PER APPROVED TRANSFER NO. 4302.

Audit: 12/16/98 JROBERTS

DATE: 11/11/98
PAGE: 1

TOTAL DIVERSION: 0.02 CFS

Stage: ~~DECREED~~

~~CUSTER~~ County
CUSTER County

TOTAL ACRES

२

COS - RI

C05 - RIGHT INCLUDES ACCOMPLISHED CHANNE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

M04 - A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.

WATER DISTRICT 72-C.

TRANSFER NO. 4302.

Objection Filed Date:

Field Inspection Flag: D
Presumption Flag:

Field Inspection Flag:
Presumption Flag: D

CLAIM NUMBER

72-041800

DATE

10/12/98

TRANSFER NUMBER

4302

AGENT

R

CLAIMED ACRE TOTAL

2

GIS ACRE TOTAL

1.25

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14N	19E	16											2						2
GIS	14N	19E	16											1.25						1.2
RECOM	14N	19E	16											1.25						1.2
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

SHAPE NOS.

16

B72-DBPOD.SHP

NOS. DESCRIPTION

3 14N, 19E, 07 SWNW NW (10)

11 14N, 19E, 17 NESWSE

DBF TABLES UPDATED

B72-DBPOU.DBF

✓

B72-DBPOD.DBF

✓

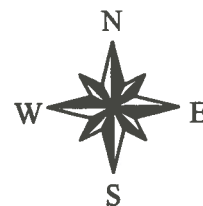
IDAHO DEPARTMENT OF WATER RESOURCES

72-04180D
NANCY DRINKWALTER



0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 12, 1998
TWP 14N, 19E, SEC . 16



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

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

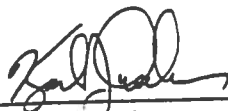
NAME	ACRES	FLOW RATE - CFS (72-04180)
Strickler	32	0.640
McGowan	1.25	0.025
Belkowski	1.25	0.025
Lukkes	1.38	0.028
Garfield	1.8	0.036

IT IS FURTHER ORDERED that the proposed transfer of portions of claim no. 72-04179 is DENIED.

IT IS FURTHER ORDERED that the approved transfers shall be subject to the following conditions:

1. The changes authorized by this approval shall be accomplished within one year of the date of the issuance of this order or within one year of the resolution of any administrative or judicial procedure related to the finality of this order.
2. These rights are subject to the control of the watermaster of Water District No. 72-C, Challis Creek. Delivery to the non-decreed claimed rights shall be curtailed whenever flow in Challis Creek is not adequate to satisfy all permitted, licensed and decreed rights.
4. Approval of this transfer does not preclude the review of the validity of the claims to water rights, the limits of the components of the water rights (including the rate of flow), and revision or dismissal of the claimed water rights in the ongoing Snake River Basin Adjudication.
5. The applicants shall install and/or maintain adequate controlling works and measuring devices.
6. Approval of this transfer does not establish or determine the existence or nonexistence of rights-of-way for the delivery of water.

DATED this 30th day of May, 1996.


Karl J. Dreher
DIRECTOR



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 23, 1995

Mr. & Mrs. McGowan
HC 63 Box 1530
Challis ID 83226

RE: Protested Transfers #4299, #4300, #4301 & #4302

Dear Mr. & Mrs. McGowan:

Please find enclosed copies of Mr. Strickler's and your "SRBA claims" and "claims verification reports" that were discussed at the recent hearing regarding the above described transfers. As part of the hearing it was agreed that these copies would be provided to you by the department. As discussed at the hearing the "claims verification reports" are preliminary and the department may modify them in the future.

If you have questions please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allen Merritt'.

Allen Merritt, PE
Southern Region Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 23, 1995

Jim Bennetts
PO Box 36
Challis ID 83226

RE: Protested Transfers #4299, #4300, #4301 & #4302

Dear Mr. Bennetts:

Please find enclosed copies of the "claims" and "claims verification reports" that were discussed at the recent hearing regarding the above described transfers.

As we discussed the "claims verification reports" are preliminary and the department may modify them in the future.

If you have questions please feel free to contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

Allen Merritt, PE
Southern Region Manager

R PROOF



CVR



MAPS



PHOTOS



MISC



WARRANTY DEED

For Value Received NANCY J. DRINKWALTER, presumptively an unmarried person, the Grantor, does hereby grant, bargain, sell and convey unto SANDRA K. ARMBRUST, an unmarried person and BRENT L. IVIE, an unmarried person, the Grantees, whose current address is P.O. Box 851, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land situated in Section 16, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 16, a 1" hex drill steel; thence South 89°23'30" East along the South boundary of said Section 16 a distance of 748.00 feet to a 1/2" bar, the TRUE POINT OF BEGINNING; thence North 0°36'26" East a distance of 480.04 feet to a 1/2" bar; thence South 89°23'30" East a distance of 200.48 feet to a 5/8" bar; thence South 1°20'55" West a distance of 480.08 feet to a point on the South boundary of said Section 16, a 5/8" bar; thence North 89°23'30" West a distance of 194.27 feet to the True Point of Beginning.

This parcel is subject to a 15 foot road easement along the South boundary.

TO HAVE AND TO HOLD the said premises, with her appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that she is free from all encumbrances 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 she will warrant and defend the same from all lawful claims whatsoever.

Dated: This 4 day of August, 2000.

Nancy J. Drinkwater
NANCY J. DRINKWALTER

STATE OF IDAHO)

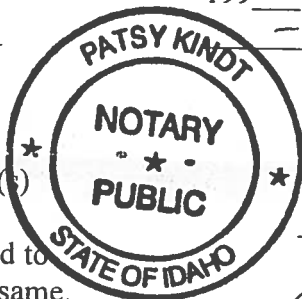
: ss

County of: CUSTER)

On this 4th day of
AUGUST, 2000, before
me, a Notary Public, personally appeared NANCY
J. Drinkwater

known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that 5 he executed the same.

Patsy Kindt
Notary Public for Idaho
Residing at Challis, Id.
Commission Expires 5/12/04



STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 15 minutes past 4
o'clock P.M., this 8th day of August
1992000, in my office, and duly recorded in Book
— of Deeds at page —.

Ethel M. Peck

Ex-Officio Recorder

BY

Janet J. Jangis
Deputy

Fee: \$ 3.00

Mail to:

Water Right Number - R72-041800

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
MC GOWAN

JAMES A.

1 - HC 63, BOX 1530
2 -
3 -

State- ID Zip- 83226

MC GOWAN

MARLA G.

City- CHALLIS
Phone - 208-879-4301
1 - HC 63, BOX 1530
2 -
3 -
City- CHALLIS
Phone - 208-879-4301

State- ID Zip- 83226

--- Priority Date --- + --- Region --- + --- Stage --- + --- Status --- +
05/01/1879 17 SOUTHERN D - DECREED

Source --- + --- Tributary --- +
CHALLIS CREEK SALMON RIVER

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

14N 19E 7 NW SW NW 2 R (37) CUSTER HIGH LINE CANAL
17 SE NW SE (37) CUSTER

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

01 - IRRIGATION 04/15 10/15 0.030

--- Total Div. Rate --- + --- Total Div. Volume --- + --- Total Consumptive Use --- + --- KW Usage --- +
0.030 5.0

--- Twn --- Rng --- Sec --- Tract --- Lot --- Acres --- Code --- Description --- County --- +
14N 19E 16 SW SW 2.0 01 IRRIGATION (37) CUSTER

Total Acres: 2.0

--- Diversion Means --- CANAL TO DITCH TO PLACE OF USE --- FLOOD IRRIGATION

--- Non-Irrigation Use --- NONE

--- Other Rights for Same Use --- 72-04179

--- Remarks ---
USE OF THIS RIGHT WITH RIGHT NO. 72-04179D IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.15 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 5.0 AF, AND TO THE IRRIGATION

MICROFILMED
NOV 01 1994

Water right number - R72-041800

Prefix Translation: RESEARCH

OF A COMBINED TOTAL OF 2.0 ACRES IN A SINGLE IRRIGATION SEASON.
WATER IS DELIVERED THROUGH THE HIGH LINE CANAL.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00004C, 72-00032M, 72-04141,
72-04163, 72-04179C, 72-04179D, 72-04180E, 72-10039, 72-10138
AND 72-10388.

7204180

Conditions of Approval
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
IDAHO CODE 42-1416A.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

Date: 01/12/1994 User Id: WORSTELL Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 3.93% OF CLAIM 72-4180.

Date: 01/12/1994 User Id: WORSTELL Subject: PRIORITY DATE
THIS CLAIM IS RECOMMENDED AS PART OF DECREED RIGHT 72-00004A WITH AN UN-RECORDED CHANGE IN PLACE OF USE.

Audit Fields

01/17/94 WORSTELL

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 01/17/1994	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/04/1989	Last Amended Date	- M005296	Temporary Right	- P
		Receipt Number	- Y	Water District	-
		POU Ownership Flag	- AND/OR	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- D
				Notice of Error Flag	-

MICROFILMED
NOV 01 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:38:03
06/05/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-04180D

LAST: MC GOWAN FIRST: MARLA G.
ADDRESS: HC 63, BOX 1530
CITY: CHALLIS STATE: ID ZIP: 83226
PHONE NUMBER: 208-879-4301
OWNER CODE: C

LAST: MC GOWAN FIRST: JAMES A.
ADDRESS: HC 63, BOX 1530
CITY: CHALLIS STATE: ID ZIP: 83226
PHONE NUMBER: 208-879-4301

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE FIELD
Y EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS CLAIM IS FOR 3.93% OF CLAIM 72-4180.

MICROFILMED
NOV 01 1994

CONTACT PERSON: _____

PHONE NUMBER: (____) _____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____) ☒ TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

Property Purchased by McGowan 11/17/1989 (See Warrantly Deed)
Adjudication claim filed 12/4/1989

MICROFILMED
NOV 01 1994

A. A1 CLAIM: # A72-04180D PRIORITY DATE: 05-01-1879 STAGE: J
B. WR RECORD: # 72-04180 PRIORITY DATE: 05-01-1879 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE N FIELD EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

IF YES EXPLAIN.

REMARKS: This claim will be recommended as a part of proceed
Right 72-00004A with a priority date of 5/1/1879
This will be recommended as an un-recorded change of
place of use as are the other claims based on the
statutory claim 72-04180

RECOMMENDED PRIORITY DATE:
05-01-1879

REVIEWED BY

DATE

1/12/1994

MICROFILMED
NOV 01 1994

A. A1 CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-04180D	14N	19E	7		SW	NW		CUSTER

OTHER A1 CLAIMS WITH SAME A1 POD

A PREFIX
R PREFIX
NONE

A72-00004C
A72-00032M
A72-04141
A72-04163
A72-04179C
A72-04179D
A72-04180E
A72-10039
A72-10138
A72-10388

F01
F06

72-00002E
72-00004A
72-00004B
72-00011D
72-00012D
72-00020D
72-02044
72-04049
72-04085
72-04141
72-04163
72-04179
72-07278
72-07291

SOURCE: CHALLIS CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-04180	14N	19E	7		SW	NW		CUSTER
72-04180	14N	19E	17		NW	SE		CUSTER

OTHER WR RECORDS WITH SAME WR POD

A1 CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

72-00002E
72-00004A
72-00004B
72-00011D
72-00012D
72-00020E
72-00020D
72-02044
72-04049
72-04085
72-04141
72-04163
72-04164
72-04179
72-07278
72-07291

A72-00004D
A72-00004E
A72-00004J
A72-00004K
A72-00004L
A72-00004N
A72-00012B
A72-00012D
A72-00014
A72-00020L
A72-00025A
A72-00025B
A72-00032B
A72-00032C
A72-00032E
A72-00032K
A72-00032M

NONE

MICROFILMED
NOV 01 1994

A72-00056
A72-02044
A72-02149B
A72-04085
A72-04141
A72-04162
A72-04164
A72-04179A
A72-04179B
A72-04179C
A72-04179D
A72-04180A
A72-04180B
A72-04180C
A72-04180E
A72-10063
A72-10083
A72-10333
A72-10483

TRIB: SALMON RIVER

SOURCE: CHALLIS CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
FIELD EXAMINER
N

REMARKS:

Transfers are being processed to change the points of diversion on this claim and claims 72-04179A, 72-04179B, 72-04179D, 72-04180A, 72-04180B, 72-04180C to the SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec 17, McDevans application for transfer was submitted 10/28/93

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TRP. RES. SEC. 1/4 1/4

1/4

LOT

COUNTY

14N 19E 7

NW

SW

NW

2

R

Custer

SOURCE: CHALLIS CREEK

TRIB: SALMON RIVER

REVIEWED BY:

A.L.K.

DATE:

1/12/94

MICROFILMED
Nov. 01 1994

A. ROOT WATER RIGHT NUMBERS:

A72-04180
A72-04180A

A72-04180C

A72-04180U

A72-04180V

A72-04180E

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ADRES.
N 19E	16	SW	SW	SW	SW	MC GOWAN, MARLA G.	A72-04180U / 2.0	-	-	-	2
		SW	SW	SW	SW	STRICKLER, TED	A72-04179D / 2.0	-	-	-	
		SW	SW	SW	SW	STRICKLER, TED	A72-04180E / 25.0	-	-	-	
		SW	SW	SW	SW	BELOWSKI, FRANK H.	A72-04179A / 2.5	-	-	-	
		SW	SW	SW	SW	BELOWSKI, GENEVIEVE E.	A72-04180A / 2.5	-	-	-	
		SW	SW	SW	SW	GARFIELD, L.A.	A72-04180C / 3.0	-	-	-	
		SW	SW	SW	SW	GARFIELD, L.A.	A72-07092 / 3.0	72-07092	/ 3.0	-	
		SW	SW	SW	SW	BELOWSKI, FRANK H.	A72-10047 /	-	-	-	
		SW	SW	SW	SW	MC GOWAN, MARLA G.	A72-10182 /	-	-	-	
		SW	SW	SW	SW	LUKES, LLOYD	A72-04179B / 2.5	-	-	-	
		SW	SW	SW	SW	STRICKLER, TED	A72-04180B / 2.5	-	-	-	
		SW	SW	SW	SW	STRICKLER, TED	A72-10410 /	-	-	-	
		SW	SW	SW	SW	STRICKLER, TED	A72-00032M / 25.0	-	-	-	
		SW	SW	SW	SW	STRICKLER, TED	A72-04179C / 25.0	-	-	-	
		SW	SW	SW	SW	PHILIPS, ETHEL	72-02149 / 39.0	72-02149	/ 39.0	-	
		SW	SW	SW	SW	PHILIPS, ETHEL	72-02149C / 21.0	72-02149C	/ 21.0	-	
		SW	SW	SW	SW	STRICKLER, TED	72-04179 / 35.0	72-04179	/ 35.0	-	
		SW	SW	SW	SW	STRICKLER, TED	72-04180 / 35.0	72-04180	/ 35.0	-	
		SW	SW	SW	SW	STRICKLER, TED	72-07428 / 1.8	72-07428	/ 1.8	-	
		SW	SW	SW	SW	BELOWSKI, FRANK	72-07429 / 1.8	72-07429	/ 1.8	-	
		SW	SW	SW	SW	BELOWSKI, FRANK					

TOTAL ACRES

A72-04180H

2.00

37.00

2

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

C. FIELD EXAM REQUIRED?

TRUE TO POU DISCREPANCY? (Y/N)

DATEBASE
Y

FIELD
EXAMINER
X

POU COUNTY: CUSTER

MICROFILMED
NOV 6 1 1994

PRESUMPTION FLAG:

REMARKS:

D

RECOMMENDATIONS:

TOTAL ACRES:

2

REVIEWED BY:

A.D. 24

DATE:

1/12/94

MICROFILMED
NOV 01 1994

A. AJ CLAIMED USES:

PURPOSES
A72-04180D IRRIGATION

MONTH/DAY
FROM 01-01 TO 12-31

DIVERSION QUANTITY
.030 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.030 CFS

B. WR RECORDED USES:

PURPOSES
72-04180 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
.769 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.769 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE EXAMINER
N N
Y Y
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N()

Explain in remarks, below.

REMARKS:

New standard period of use

MICROFILMED
NOV 01 1994

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

AI TOTAL CLAIMED DIVERSION RATE: 0.030 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.769 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? FIELD
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y DATABASE EXAMINER N

MEASUREMENT METHOD FLOW MEASUREMENT
SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 72-4179

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-04180D	CHALLIS CREEK	MC GOWAN, MARIA G.	0.030	0.015		
A72-00032H	CHALLIS CREEK	STRICKLER, TED	1.120	0.035		
A72-04179A	CHALLIS CREEK	BEUKOWSKI, FRANK H.	0.200	0.080		
A72-04179B	CHALLIS CREEK	LUKES, LLOYD	0.200	0.080		
A72-04179C	CHALLIS CREEK	STRICKLER, TED	3.000	0.093		
A72-04179D	CHALLIS CREEK	MC GOWAN, MARIA G.	0.160	0.080		
A72-04180A	CHALLIS CREEK	BEUKOWSKI, GENEVIEVE E.	0.070	0.028		
A72-04180B	CHALLIS CREEK	LUKES, LLOYD	0.070	0.028		
A72-04180C	CHALLIS CREEK	GARFIELD, L.A.	0.090	0.030		
A72-04180E	CHALLIS CREEK	STRICKLER, TED	0.769	0.024		
A72-07092	GROUNDWATER	GARFIELD, L.A.	0.130	0.043		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	UNIT
A72-07092	DOMESTIC	GARFIELD, L.A.	FROM 01-01 TO 12-31	0.040 CFS	

MICROFILMED
NOV 01 1994

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 2 $\times$ 0.02 CFS/ACRE = 0.04 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 = 5.0 AF/A
ACRES 2 $\times$ CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 5.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 2 $\times$ DIVERSION VOL. AF/A FOR AREA N/A =
TOTAL DIVERSION VOLUME N/A AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

MICROFILMED
NOV 01 1984

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. RATE DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	~~01-01~~ 4/15 ~~12-31~~ 10/15	DATABASE RATE CFS 0.030	EXAMINER 0.03	DATABASE EXAMINER 5.0
TOTAL FOR THIS RIGHT		0.030	N/A	5.0

REVIEWED BY:

A.L.S.

DATE:

1/12/94

Statutory Claim 72-04180 claimed 0.7692 cfs for 50.84 ac or 0.01512 cfs/ac and included the P/V of this claim - filed 6/16/1983

2 ac X 0.01512 cfs/ac = 0.03 cfs.

MICROFILMED
NOV 01 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-04180
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.769

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT *R* CLAIM NUM.	*R* DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A72-04180	A72-04180A	0.070	-	-	72-04180	0.769
A72-04180	A72-04180C	0.090	-	-	72-04180	0.769
72-04180	A72-04180H	0.030	-	-	72-04180	0.769
A72-04180	A72-04180B	0.070	-	-	72-04180	0.769
72-04180	A72-04180E	0.769	-	-	72-04180	0.769

TOTAL CFS 1.029

0.769

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
N

FIELD
EXAMINER
Y

REMARKS:

MICROFILMED
NOV 01 1997

AUTHENTICATION:

SIGNATURE:

Robert J. Marshall

DATE:

1/12/94

NAME OF FIELD EXAMINER:

TITLE:

Sr. Adjudication Agent

MICROFILMED
NOV 01 1994

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				N				
POINT OF DIV	Y			Y	L, 4	GRJW 11/2/94	GRJW 11/2/94	
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE	Y			Y	6			
BASIS OF CLAIM	Y			Y	6			
REMARKS	Y							

"VERIFIED BY" CODES

- BLM
- TOPO MAP/ORTHO-FG = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- AIRY 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.

24 ID-88AE 10-9C-7 7/16/88

MICROFILMED
NOV 01 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:44:08
06/05/92

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A72-04180D

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARLA G. MC GOWAN JAMES A. MC GOWAN HC 63, BOX 1530 CHALLIS ID 83226 (208) 879-4301	05/01/1979	IRRIGATION	01-01 12-31	0.03 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	5.0 AFA
	Water Source: CHALLIS CREEK				Stage: BENEFCIAL USE	
	Points(s) of Diversion:				CUSTER County	
		TI4N R19E S07	SWNW			
	Place of use Legal Description for: IRRIGATION					
T	R S : NENE NUNE NE SENE : NENW NUNW NW SWNW SENE : NESW NUSW SWSE SESW : NESE NUSE SUSE SESE : SUM					
	14N 19E 16 :					2.0
					TOTAL ACRES	2.0

POU County: CUSTER

Non-Irrigation Uses: NONE

Other Rights: 72-4179

Non-Irrigation Use: NONE

Remarks: THIS CLAIM IS FOR 3.93% OF CLAIM 72-4180.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

MICROFILMED
NO. 01 1994

Review of Splits on Statutory Claim 72-0418D

Statutory Claim Filed (72-0418D) 50.87 ac 0.769 cfs ^{cfs/ac} 0.0151
6/16/83

Adj. Claims (Filed Jan 1990)

A72-04180A

Recommended
Acres

Recommended
Div. Rate

2 ac x 0.0151 = 0.03 cfs

A72-04180C

3 ac x 0.0151 0.045 cfs

A72-04180D

2 ac x 0.0151 0.03 cfs

A72-04180B

2 ac x 0.0151 0.03 cfs

A72-04180E

31.5 ac x 0.0151 0.48 cfs

Unclaimed Areas

9.64 ac x 0.00 0.615 Total

4 lots in NW, SW Sec 16

50.14 ac (98.6% of 50.87 acres)

Unclaimed = 0.769 - 0.615 = 0.154 cfs
Diversion 20%

This claim recommend as part of
Decreed right 72-00004A

MICROFILMED
NOV 01 1994

POOR ORIGINAL

High Line Canal
P/D
Challis Creek Rd.

P/U 72-041800

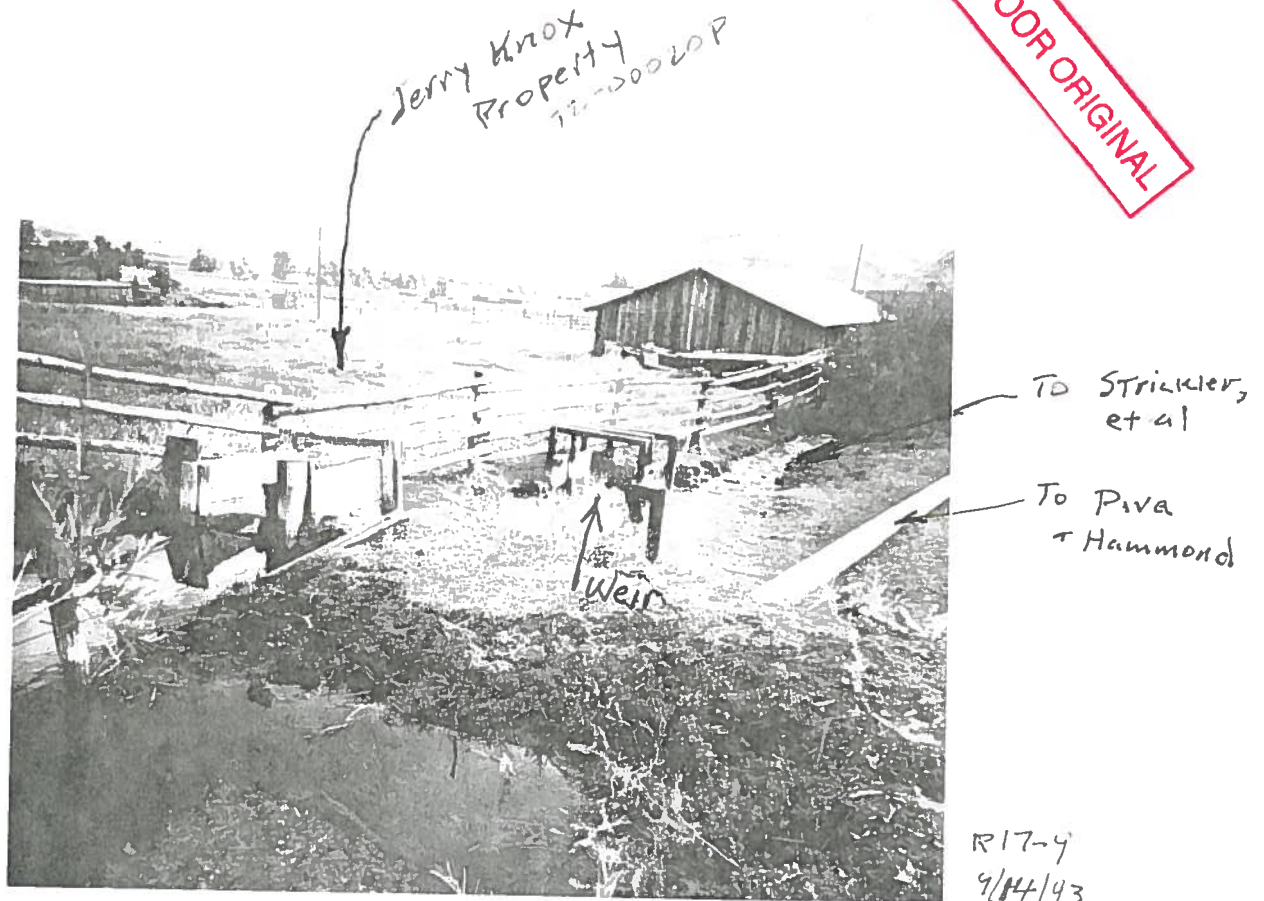
Approx Scale
1" = 1120'

T14N
R19E

MICROFILMED
NOV 01 1994

Base Map - Enlarged Copy of
BLM Aerial Photo 24 ID-88 AC
10-90-7 7/16/88

POOR ORIGINAL



View of Strickler Diversion Measurement
Structure - 36" Rect. Cont. Weir

View Looking NE.

For Original Print See 72-04180E

MICROFILMED
NOV 01 1981

POOR ORIGINAL



R17-10

9/14/93

View of Strickler gravity ditch
where it enters his proper - near the
north west corner of the place

View looking SE.

For Original print see 72-04180E

MICROFILMED
NOV 0

GRADED BORDER EVALUATION

Job name: A72-04179^D
By: RVW

Location: DB1 SOIL 2 ACRES
Date: Jan 13, 1994

Roughness coefficient (n)= 0.150 Intake family (If)=2.00
Slope (S)= 0.0360 ft/ft Border width (W)= 10 ft
Net application (Fn)= 2.52 inches Border length (L)= 200 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
0.06	Gross depth is less than required gross application depth					
0.07	Gross depth is less than required gross application depth					
0.08	Gross depth is less than required gross application depth					
0.09	Gross depth is less than required gross application depth					
0.10	0.010	17.28	13.76	1.00	14.6	(4)
0.11	0.011	19.01	13.76	2.72	13.3	(4)
0.12	0.012	20.74	13.76	4.45	12.2	(4)
0.13	0.013	22.46	13.76	6.18	11.2	(4)
0.14	0.014	24.19	13.76	7.91	10.4	(4)
0.15	0.015	25.92	13.76	9.64	9.7	(4)
0.16	0.016	27.65	13.76	11.36	9.1	(4)

(4) Less than minimum recommended depth of flow.

HUBBLE ANALYSIS

MICROFILMED
NOV 01 1994

CLAIM NO. --- A72-041798
AGENT ----- RVW
DATE ----- 01/13/94Lotus Program:
IRR-PRAC.WK3
Date form revised:
4/21/93 by KKC

SOIL CHARACTERISTICS

Soil Type = DB1; DAWTONIA...GRAVELLY LOAM
Source of Soils Data = Printout From SCS State Office

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)	intake family	
lower	upper	lower	upper	lower	upper	lower	upper			flood	furrow
0	4	0.11	0.13	6.6	7.8	1	2	1	1.67	2	0.55
4	11	0.14	0.18	7.9	9			2	1.74		
11	60	0.05	0.09	7.9	9			3	3.35		
								4	4.19	alternate	
								5	5.03	method	
										NA	NA

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point (INCHES)	MAD	FIELD NOTES AND CALCULATIONS				
				FIELD 1	FIELD 2	FIELD 3	FIELD 4	
				FIELD WIDTH	435	0		
				IRRIGATION DAYS	14			
				DRY DAYS	0			
				SET TIME(hours)	8			
				CALCULATED RUN (run = acres*43560/width)				
				RUN =	200			
				CALCULATED BORDER WIDTH (ditch length/irr days * cha				
				WIDTH =	10			
				THEORETICAL ROTATION (mad/net irr req in inches per				
				SELECTED MAD =	2.52			
				ROTATION =	10.9 DAYS			

PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS
Figure No = 10-15

crop	acres	system	recomm. eff.	Net Irrigation Requirement (mm/day)							
				mar	apr	may	jun	jul	aug	sep	oct
PASTURE	2	FLOOD			1.47	3.84	4.87	5.86	4.56	3.23	2.07
ALFALFA		FLOOD	10.9		1.28	4.51	5.65	6.25	4.45	2.52	0.7

Summary 2 1.47 3.84 4.87 5.86 4.56 3.23 2.07

Peak Net Irrigation Requirement (mm/day) =

5.86

HUBBLE ANALYSIS.

MICROFILMED
NOV 01 1991

Program Operation based upon

"GUIDELINES FOR THE EVALUATION OF IRRIGATION DIVERSION RATES"
HUBBLE ENGINEERING INC. OCTOBER 1991

Soil Characteristics based upon

SOIL CONSERVATION SERVICE STUDIES

Peak Irrigation Diversion based upon ALLEN & BROCKWAY WEATHER INFORMATION 1983