



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

72-10343
done

SOUTHERN REGION

April 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LITTLE WICKIUP RANCH LLC
AN IDAHO LIMITED LIABILITY CO
33244 EGLON RD NE
KINGSTON WA 98346

RE: Decreed Water Right 72-10343

Dear Water Right Holder:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the water right noting the change in owner. Review this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

72-10343

IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

OCT 14 1999

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 Number(s) A72-10343, A72-00²¹329A, A72-00219B, A72-00219C,
72-10343, 72-00219A, 72-00219B, 72-00219C
Adjudication Claim Number(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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Earl V. and Viola Gardner (by Viola Gardner, surviving spouse)
1417 N. Skyline Dr. Idaho Falls, ID 83401
4. New Owner/Claimant(s) Little Wickiup Ranch, LLC
An Idaho Limited Liability Company
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 33244 Eglon Road NE
City, State and ZIP Code Kingston, WA 98346
New Telephone Number (360) 638 -1186
5. Date you acquired the property _____
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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) Wallis R Kimble member Date Oct 4, 1999
Marilyn V. Kimble member Date Oct 4, 1999
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

FOR VALUE RECEIVED, GARDNER PROPERTIES, LP, an Idaho Limited Partnership, by VIOLA GARDNER, General Partner, Grantor, does hereby Grant, Bargain, Sell and Convey unto LITTLE WICKIUP RANCH, LLC, an Idaho Limited Liability Company, Grantee, whose address is 33224 Eglon Road NE, Kingston, Washington 98346, all of Grantor's interest, in and to the following described premises, in Custer County, Idaho, to-wit:

Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho.

Section 4: Lot 4
Section 5: Lots 1 and 2

Township 9 North, Range 17 East, Boise Meridian, Custer County, Idaho

Section 33: W $\frac{1}{2}$ E $\frac{1}{2}$ and the W $\frac{1}{2}$

Together with all appurtenances.

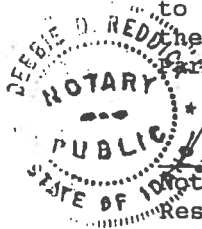
TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its successors, administrators and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all covenants, conditions, easements and restrictions of record, as recorded in the records of Custer County, Idaho, and that it will warrant and defend the same from all lawful claims whatsoever.

Dated: October 4, 1999

GARDNER PROPERTIES, LP

By: Viola Gardner
Viola Gardner, General Partner

STATE OF IDAHO)
) ss.
County of Bonneville)
On this 4 day of
October, 1999, before
me, a Notary Public, personally appeared VIOLA
GARDNER, General Partner
of GARDNER PROPERTIES, LP,
known to me to be the
person whose name is
subscribed to the within
instrument and acknowledged
to me that she executed
the same as such General
Partner.



Debbie D. Redden
Notary Public for Idaho
Residing at Idaho Falls, ID
Commission Expires 3/27/2001

STATE OF IDAHO, COUNTY OF CUSTER
I hereby certify that this instrument was filed for record at the request of Custer County Title at 58 minutes past 1:06 o'clock P.M., this 12 day of October, 1999, in my office, and recorded as Instrument No. _____.

Ethel M. Peck
Ex-Officio Recorder

BY Barbara C. Breckelme
Deputy
Fee: \$ 3.00
Mail to:

CUSTER COUNTY TITLE, INC.

P.O. Box 370
8TH & MAIN
Challis, ID 83226
(208) 879-4424
(208) 879-5249 FAX

RECEIVED

OCT 14 1999

Department of Water Resources
Southern Region

October 13, 1999

RE: 10154: Gardner-Little Wickiup Ranch

Idaho Department of Water Resources
Southern Region Office
1341 Fillmore St., #200
Twin Falls, ID 83301-3380

To Whom It May Concern,

Please find enclosed Notice of Change of Water Right Ownership and a copy of the signed recorded Warranty Deed on the above mentioned transaction. If any thing further is needed, please contact the new owners.

Respectfully,



Susan Swindell
Secretary
enc.



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

May 6, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

James R. Bennetts
Attorney at Law
P.O. Box 36
Challis, ID 83226-0036

Dear Mr. Bennetts:

Pursuant to your recent request, I have researched the Department's records regarding water rights in the name of Earl V. and Viola Gardner. Please find enclosed copies of proof reports of the following Snake River Basin Adjudication records:

A72-10343

A72-00219A

A72-00219B

A72-00219C

72-10343

72-00219A

72-00219B

72-00219C

If you have any questions, or need any further assistance, feel free to contact this office at your convenience.

Sincerely,

Corey Skinner, EIT
Dam Safety Section

Enclosures

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

DATE: April 30, 1997

PAGE: 1

RIGHT NUMBER: 72-10343

NAME AND ADDRESS: EARL V GARDNER
1020 BOISE AVE
IDAHO FALLS ID 83402

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 08/08/1981

POINT OF DIVERSION T09N R17E S33 SWSE Within CUSTER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CUSTER County
T09N R17E S33 SWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP09N17E330601AJUN 09 1998
Idaho Department of Water Resources
Custer County



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

April 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

72-10343
EARL V GARDNER
1020 BOISE AVE
IDAHO FALLS ID 83402

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

Dear Water Right Claimant(s):

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

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

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

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

Sincerely,

Karl J. Dreher
Director

Enclosures

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

Department of Water Resources
JUN 09 1998
U.S. MAIL

IMPORTANT WATER RIGHT INFORMATION



FORWARDING ORDER EXPIRED

PRESORTED
FIRST CLASS



RECEIVED
MAY 14 1997
Department of Water Resources

FOE
C-28

83402+1356

FEB-14-1997
0025

RIGHT NUMBER: 72-10343

NAME AND ADDRESS: EARL V GARDNER
1020 BOISE AVE
IDAHO FALLS ID 83402

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 08/08/1981

POINT OF DIVERSION: T09N R17E S33 SWSE Within CUSTER County

PURPOSE AND PERIOD OF USE: DOMESTIC 1 HOME
PERIOD OF USE 01-01 12-31
QUANTITY 0.04 CFS

PLACE OF USE: DOMESTIC Within CUSTER County
T09N R17E S33 SWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP09N17E330601A

AJ5809NP
No. R72-10343

OWNER
CODE

1
2
3
4
5

2

—

—

List of Sources: CROINDUATED

Point(s) of Divergence:

place of use | legal Description for: DOMESTIC

[illegible]

POU County: CUSTER

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

of Approval: _____ THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000

- THE QUANTITY
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP09N17E330601A

Objection Filed Date:

Verified Date:

Field Inspection Flag:

Misc. Water District Number:

Comments: Date: 01/14/1997 User-ID: DSI-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit:	07/07/93	SMITH	07/26/93	SMITH	03/30/95	POST-STD	01/14/97	DS1-PROD
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✓ 2/13/97

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: A72-10343
Date Received: 12/28/1989
Receipt No: S010779
Received By: _____

DATA ENTERED BY SCC
DATE 12-28-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EARL V. GARDNER 208-522-5396
Address: 1020 BOISE AVE.
IDAHO FALLS, ID 83402

2. Date of Priority: AUG 08, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	17E	33	SW	SE			CUSTER

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE & LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	17E	33	SW	SE		DOMEST	

11. Place of use in counties: CUSTER

A72-10343

Page 1

Date: 12/28/89

MICROFILMED
MAR 19 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A72-10343

Date Received _____

Receipt Number 5010779 *gk*NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Department of Water Resources
Southern Region Office

Filing Fee \$25

RECEIVED

DEC 27 1989

Please type or print clearly

1. Name of Claimant (s) EARL V. GARDNER Phone (208) 522-5396Mailing Address 1020 Boise Avenue, Idaho Falls, Idaho Zip 834022. Date of Priority (Only one per claim) 08/08/1981 Month/Day/Year3. Source of water supply (Check one) (x) Groundwater or Other () (a) Well
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 09 N. Range 17 E.Section 33, 1/4 of SW 1/4 of SE 1/4, Govt. Lot E., BM.,County of Custer

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well with small pump; pipeline to household, customary size and construction.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 01/01 ^{Month/Day} to 12/31 ^{Month/Day} amount 0.04 ^(cfs)(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) One household and yard area.

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MAR 19 1993

10. Place of Use is: Township: 09 N. Range 17 E.
Section 33, SW 1/4 of SE 1/4, Govt. Lot E., B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
X) None or _____

14. Remarks: Well located on household and yard premises.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

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

Number of Attachments 0

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

Signature of Claimant (s) Earl V. Gardner Date _____
_____ Date _____

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

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Custer) ss.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 18th day of December 19 89

SEAL

Notary Public James R. Bennett

Residing at Challis Idaho

My Commission Expires 1-13-93

Last Name GARDNER Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dec. 29, 1989

Re: A72-10343
A72-00219A
A7200219B
A72-00219C

EARL V GARDNER
1020 BOISE AVE
IDAHO FALLS ID 83402

Dear Claimant(s):

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

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

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 19 1993

WATER RIGHT NUMBER - A72-10343 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -
+ - - - - - LAST NAME - - - - - + + - - - - - FIRST NAME - - - - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
GARDNER

EARL V.

1 - 1020 BOISE AVE.
2 -
3 -

CITY- IDAHO FALLS STATE- ID ZIP- 83402
PHONE - 208-522-5396

+ - - - - - PRIORITY DATE - - - - - + + - - - - - REGION - - - - - + + - - - - - STAGE - - - - - + + - - - - - STATUS - - - - - +
08/08/1981 17 SOUTHERN J - BENEFICIAL USE

+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +

GROUNDWATER

+ - - - - - POINT OF DIVERSION - - - - - + STREAM INDEX (BLANK IF NO INDEX CODE)

COUNTY

(37) CUSTER

+ - - - - - CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.040

+ - - - - - TOTAL DIV. RATE - - - - - + + - - - - - TOTAL DIV. VOLUME - - - - - + + - - - - - TOTAL DIV. CAPACITY - - - - - + + - - - - - TOTAL CONSUMPTIVE USE - - - - - + + - - - - - KW USAGE - - - - - +
0.040

+ - - - - - TWN RNG SEC TRACT LOT ACRES PLACE OF USE DESCRIPTION COUNTY

09N

17E

33

SW SE

43

DOMESTIC

(37) CUSTER

+ - - - - - DIVERSION MEANS - WELL, PUMP

+ - - - - - NON-IRRIGATION USE - D/I HOUSE & LAWN

+ - - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - + NO REMARKS FOUND.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - + NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - + NO CONDITIONS OF APPROVAL FOUND.

+ - - - - - DECREE PLAINTIFF - - - - - + + - - - - - DECREE DEFENDANT - - - - - + + - - - - - DECREE DATE - - - - - + 00/00/0000

+ - - - - - AUDIT FIELDS - 12/28/89 CLELLAND

MICROFILMED
"v" 0 1 1994

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
OBJECTION FILED DATE	-	00/00/0000	FIELD INSPECTION FLAG	-		OLD CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	12/28/1969	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	S010779	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-		NOTICE OF ERROR FLAG	-	

WATER EXAMINER