

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 37-59L
Date Received: 11/6/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

OFER INBAR

Phone:

404 E US HWY 26
SHOSHONE ID USA 83352

2. Date of Priority: 05/27/1899

3. Source: LITTLE WOOD RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	18E	13	SE SW	LINCOLN	
05S	18E	24	NW NW	LINCOLN	
05S	18E	13	SW SW	LINCOLN	
05S	18E	13	NW NE SW	LINCOLN	

5. Description of diverting works:

PORTABLE GAS ENGINE PUMP, 3 HAND LINES.

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	03/01 10/01	0.32	

7. Total Quantity Appropriated is:
0.32 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	18E	13	NW	SW	IRRIGATION	4
			NE	SW	IRRIGATION	2
					Section Acres	6
05S	18E	24	NW	NW	IRRIGATION	6
					Section Acres	6
					Total Acres	12

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

CLAIM ORIGINALLY CLAIMED AS 37-59I BUT RENUMBERED HEREIN TO A MORE READABLE SUFFIX, 37-59L. 11-6-02 SCC.

15. Basis of Claim: Decreed

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 37-59L
Date Received: 11/6/2002
Receipt No: S001038
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

VARNELL H PRICE

Phone: (208)837-2173

PO BOX 78
SHOSHONE ID USA 83352

SANDRA D PRICE

Phone: (208)487-2173

PO BOX 78
SHOSHONE ID USA 83352

2. Date of Priority: 05/27/1899

3. Source: LITTLE WOOD RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
05S	18E	13	SE	SW		LINCOLN	
05S	18E	24	NW	NW		LINCOLN	
05S	18E	13	SW	SW		LINCOLN	
05S	18E	13	NW	NE	SW	LINCOLN	

5. Description of diverting works:

PORTABLE GAS ENGINE PUMP, 3 HAND LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	10/01	0.32	

7. Total Quantity Appropriated is:
0.32 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	18E	13	NE	SW	IRRIGATION	2
			NW	SW	IRRIGATION	4
					Section Acres	6
05S	18E	24	NW	NW	IRRIGATION	6
					Section Acres	6
					Total Acres	12

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

CLAIM ORIGINALLY CLAIMED AS 37-59I BUT RENUMBERED HEREIN TO A MORE READABLE SUFFIX, 37-59L. 11-6-02 SCC.

15. Basis of Claim: Decreed

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

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

RECEIVED

SEP 24 1998

Water Right Number(s) AJ5809NP

Department of Water Resources
Southern Region

Adjudication Claim Number(s) A37-000591 and A37-106651

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.

1. Name and Address of Former Owner/Claimant(s) Varnell H. Price and Sandra D. Price

P. O. Box 78, Shoshone, ID 83352

2. New Owner/Claimant(s) OFER INBAR

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address 404 East U.S. Highway 26, Shoshone, ID 83352

City, State and ZIP Code _____

New Telephone Number () _____

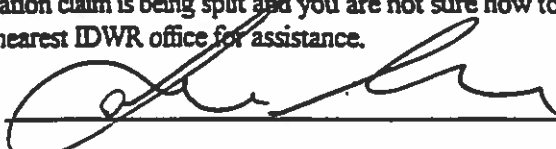
3. Date you acquired the property August 10, 1998

4. 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.

5. Signature of New Owner/Claimant(s)  _____ Date 8-7-98

_____ Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

6. 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.

A37-10665 / et 2/1/99

WARRANTY DEED

FOR VALUE RECEIVED VARNELL H. PRICE and SANDRA D. PRICE, husband and wife, hereinafter referred to as the Grantors, hereby grant, bargain, sell, and convey unto OFER INBAR, a single individual, of 404 East U.S. Hwy. 26, Shoshone, Idaho 83352, hereinafter referred to as the Grantee, the following described real estate property situated in Lincoln County, State of Idaho, hereinafter referred to as "said property," as legally described as follows:

NW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 13, Township 5 South, Range 18 East of Boise Meridian, Lincoln County, Idaho.

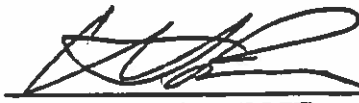
Together with 11.7" of deliverable water right from Big Cottonwood Creek with a May 27, 1899 priority date and together with the ground water rights for domestic, stock water and irrigation from the well located on the property as evidenced by that portion of Claim No. 39356, I.D.W.R. water right No. 37-0059 and Claim No. 39576.

Consisting of 200 acres, more or less.

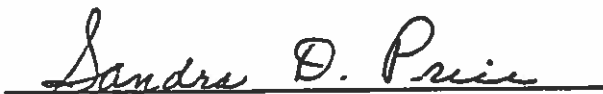
Subject to an easement in favor of Sellers for the purposes of ingress and egress for a distance of 1320' across the west 50' of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 5 South, Range 18 East, Boise Meridian.

TO HAVE AND TO HOLD the said premises unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owner in fee simple of said premises; that the premises are free from all encumbrances, except as mentioned above, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED This 7th day of August, 1998.



VARNELL H. PRICE


SANDRA D. PRICE

165384

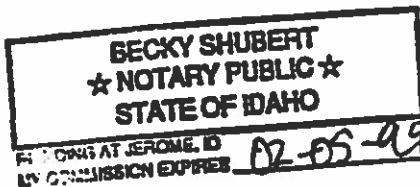
STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <i>Sandra D. Price</i>
AUG 10 1998
at <u>33</u> minutes past <u>3:00</u> P.M. recorded by <i>Helene Jackson</i> Fee <u>6.00</u> Return to: <i>Above</i>

STATE OF IDAHO

County of Latah ^{ss.}
~~Twin Falls~~

On this 17th day of August, 1998, before me, the undersigned, a Notary Public in and for the said County and State, personally appeared VARNELL H. PRICE and SANDRA D. PRICE, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Becky Shubert
NOTARY PUBLIC FOR:
Residing at: Jerome ID
My commission expires: 02-05-99

Price

R18E

$\frac{13}{24} \frac{18}{19}$

1084

43 km

← TO SHORE

5
7.4
8.5

$\frac{14}{23} \frac{13}{24}$

Group does not
include
the

AJ5809P
NO. A37-000591

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/04/98
PAGE: 1

OWNER NAME & ADDRESS
C VARNELL N PRICE
C SANDRA PRICE
PO BOX 78
SHOSHONE ID 83352
(208) 487-2173

PRIORITY DATE 05/27/1999 WATER USE IRRIGATION

USE PERIOD FROM 03-01 TO 10-01

DIVERSION RATE 0.32 CFS

TOTAL DIVERSION: 0.32 CFS

CONSUMPTIVE USE: 36.00 AFA

Water Source: LITTLE WOOD RIVER

Tributary to: SNAKE RIVER

Point(s) of Diversion: 7055 RIBE S13 S26

MINESU MINU

SUSU SESU

Stage: DECREED

LINCOLN County
LINCOLN County

Place of use Legal Description for: IRRIGATION

NE	NU	SU	SE	SUM
WERE NAME SUNE SENE : MEMU MINU SNUV SEWV : NESV NUSU SUSU SESU : NESE MSE SUSE SESE : : SUM				
T R S : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac : : : 6.0				
05S 18E 13 : : : : : : : : : : : : : : 6.0				
05S 18E 24 : : : : : : : : : : : : : : 12.0				
TOTAL ACRES				

POU County: LINCOLN

Other Rights: A37-02242, A37-00177D

Remarks: GEN PART OF 37-0059 DECREE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 07/20/88 WHITE 03/30/95 POST-STD

Transferred 16 inch 17 dec

DATE: 06/04/98
PAGE: 4

TOTAL DIVERSION: 0.06 CFS

Stage: BENEFICIAL USE

LINCOLN County

2

22

44

objection Filed Date:

03/30/95 POST-SID

transferrin

DIVERSION
VOLUME

30.00 AFA

Stage: DECREASED

LINCOLN County

SE

SUM	10.0	10.0
-----	------	------

SE

•

Other Rights: DOMESTIC WELL FOR S/

P/D INCOMPLETE. SEE FILE.
MULTIPLE P/D BECAUSE THEY PUMP OUT OF THE RIVER AT SEVERAL
POINTS.

objection filed date:

Field Inspection Flag:
Presumption Flag:

Audite: 07/20/88 CLEVELAND 03/30/95 POST-SID

Keepin

DATE: 08/06/98
PAGE: 3

DIVERSION
VOLUME

1.04 CFS

Stage: LICENSE

LINCOLN County
LINCOLN County

3

SUM	---
46.0	
6.0	
52.0	

objection filed date:

Audit: 07/20/88 WHITE 03/30/95 POST-STD

Купи

TRANSMITTAL COVER SHEET

TO: Lisa @ GOODING
LAND TITLE & ESCROW
fax # 934-5890

TOTAL PAGES SENT: 5
(including cover sheet)

DOCUMENT DESCRIPTION: PROFILE REPORTS OF SNAKE RIVER

Basin ADJUDICATION CLAIMS A37-000591, A37-00177D,
A37-02242, AND A37-10665

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES

1341 FILLMORE ST, STE 200

TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____ Please remit to the above address.

SENDER:

Corey Skinner

COMMENTS: _____

TRANSMISSION VERIFICATION REPORT

TIME : 08/04/1998 13:50
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

08/04 13:48
99345890
00:01:21
05
OK
STANDARD
ECM

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: A37-00059I
Date Received: 7/20/1988
Receipt No: S001038
Received By: CW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VARNELL H. PRICE 208-487-2173
Address: P.O. BOX 78
SHOSHONE, ID 83352

AND/OR

Name: SANDRA PRICE 208-487-2173
Address: P.O. BOX 78
SHOSHONE, ID 83352

2. Date of Priority: MAY 27, 1899

3. Source: LITTLE WOOD RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	18E	13	NW	NE	SW		LINCOLN
				SW	SW		LINCOLN
				SE	SW		LINCOLN
		24		NW	NW		LINCOLN

5. Description of diverting works:
PORTABLE GAS ENGINE PUMP, 3 HAND LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	10/01	0.320		

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

8. Total consumptive use is 36.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00059I

Page 1

Date: 07/20/88

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	18E	13	NE	SW		IRR	2.0
			NW	SW		IRR	4.0
					Section Acres		6.0
		24	NW	NW		IRR	6.0
					Section Acres		6.0
					Total Acres		12.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
A37-02242, A37-00177D

14. Remarks:
PART OF 37-0059 DECREE

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

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

A37-00059 I

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

CIVIL CASE NUMBER: 39356

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

JUL 12 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) VARNELL H. PRICE AND SANDRA D. PRICE Phone (208) 487-2173Mailing Address P.O. Box 78, SHOSHONE, Idaho Zip 833522. Date of Priority (Only one (1) per claim) MAY 27, 18993. Source of water supply (a) LITTLE Wood River "Big Wood River Decree"
which is tributary to (b) SNAKE River thru Richfield CANALTO 4. a. Location of existing point of diversion is: Township 5S Range 18E Section 13NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of LINCOLN
ALONG RIVERAdditional points of diversion if any: W 1/2 of SW 1/4 T5S R18E Sect. 13
AND NW 1/4 of NW 1/4 T5S R18E Sect. 24

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

Township 5S Range 18E Section 13, NW 1/4 of NE 1/4 of SW 1/4,Govt. Lot _____ B.M., County of LINCOLNending point is: Township 5S Range 18 Section 24, SW 1/4 of NW 1/4 ofNW 1/4, Govt. Lot _____ B.M., County of LINCOLN5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. MAJORITY of IRRIGATION DONEWITH PORTABLE GAS engine pump AND 3" ALUMINUM HAND-
Lines.MICROFILMED
FEB 22 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from Mar-1 to Oct-1 amount .32 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .32 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .30 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
55	18	13									2	4							6
		24						6											6

Total number of acres irrigated 12

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

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.

10" Little Wood River #37-0177 Little Wood River or None ()

IDWR #8514

1.04 CFS

14. Remarks:

MICROFILMED
FEB 22 1993

Last Name Price Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Big wood River Decree X
If applicable provide IDWR Water Right Number 37-0059
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) [Signature]

Date JULY 12, 1988

Sandra D. Price

Date July 12, 1988

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

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

Subscribed and sworn (or affirmed) before me this 12th day of July 1988

SEAL

Notary Public [Signature]

Residing at Hamden, Idaho

My Commission Expires February 20, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Price Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
FEB 22 1993

Scale: 2 inches equals 1 mile

[illegible]

See Attached map

MICROFILMED
 FEB 22 1993

Last Name

Price

Ident No.

Copies: White-State, Yellow-Claimant

55

18E

12 & 24

MAIN
DIVERSION
POINT

H 8.9

I 51

B159

15.1

18.0

80

3.5 C

3.5 D

5.4

9.7

3.4

40

MARK USED ON
TOTAL FRAMES
MICROFILMED
FEB 22 1993

V.H. PRICE

05/05/2003

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

RIGHT NUMBER: 37-59L

NAME AND ADDRESS: OFER INBAR
404 E US HWY 26
SHOSHONE ID 83352

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
POINT OF INJECTION INTO JIM BYRNS SLOUGH THAT FLOWS INTO THE LITTLE
WOOD RIVER. POINT OF REDIVERSION FROM THE LITTLE WOOD RIVER.

QUANTITY: 0.320 CFS
RIGHT SUBJECT TO 27% CONVEYANCE LOSS; 0.23 CFS CAN BE
REDIVERTED FROM LITTLE WOOD RIVER.

PRIORITY DATE: 05/27/1899

POINT OF DIVERSION:

T02S R18E S30 SWSENE Within LINCOLN County Source: BIG WOOD RIVER
T03S R19E S19 SWNEE Injection Within LINCOLN County Source: BIG WOOD RIVER
T04S R19E S25 SENWSE Injection Within LINCOLN County Source: BIG WOOD RIVER
T05S R18E S13 NWNESW Rediversion Within LINCOLN County Source: BIG WOOD RIVER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.320 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R18E S13	NESW	0.2	T05S R18E S13	NWSW	5.7
T05S R18E S13	SWSW	11.0	T05S R18E S24	NWNW	6.7

23.6 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 23.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-177D & 37-2242.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 12 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

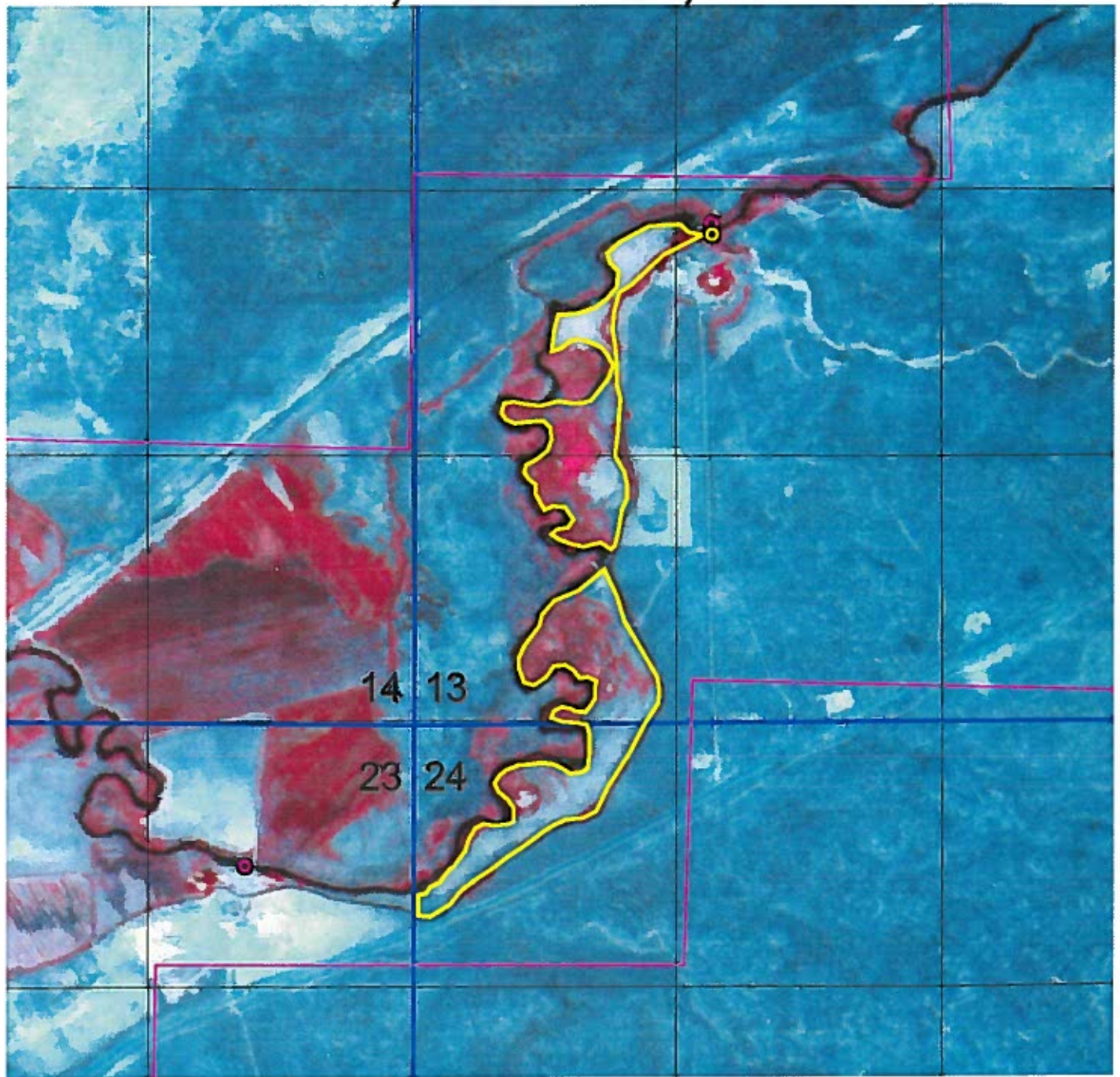
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

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

IDAHO DEPT OF WATER RESOURCES

37-59L, 37-177D, 37-2242



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 18E



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: MAY 5, 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

APRIL 3, 2003

OFER INBAR
404 E US HWY 26
SHOSHONE ID 83352

RE: Change of Ownership of SRBA Claims 37-59L, 37-177L & 37-2242

Dear Mr. Inbar,

Pursuant to your previous request for a change in ownership and/or the notification that you recently purchased the property to which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owner as requested for rights listed above.

Please find enclosed a copy of your adjudication claims they now appear in our records.

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

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

37-59 L

3/26/03
SCC

37-177 D

37-2242

POD: claim describes a portable pumps used along the river, no mapping shown.

#163
POD

Confirm w/ watermaster & exam.

Q: $(0.32 \text{ cfs} - 27\% = 0.23 \text{ cfs})$

Deed amount
shown

Q	POU:	WR AC.	CLAIM AC.	GIS AC.
.32 cfs	-59L	unknown	12	23.4
.20 cfs	-177D	unknown	10	23.4
1.04 cfs	-2242	52	52	23.4
				23.4

COO issues unresolved!!
where are POD's?
what POU is irrigated?

EXAM
4/23/03

met w/ OBERINBAR for
Review of Claims. He doesn't
fully understand the water
rights for the property & hasn't
used it since purchase. I will
rely on the claims for basis of Paid.

Vet Hospital
886-2352

539-9041 cell

only Contact known:
VARNELL & SANDRA PRICE
487-2173 (Disconnected)

OBERINBAR is

- new owner
- local veterinarian

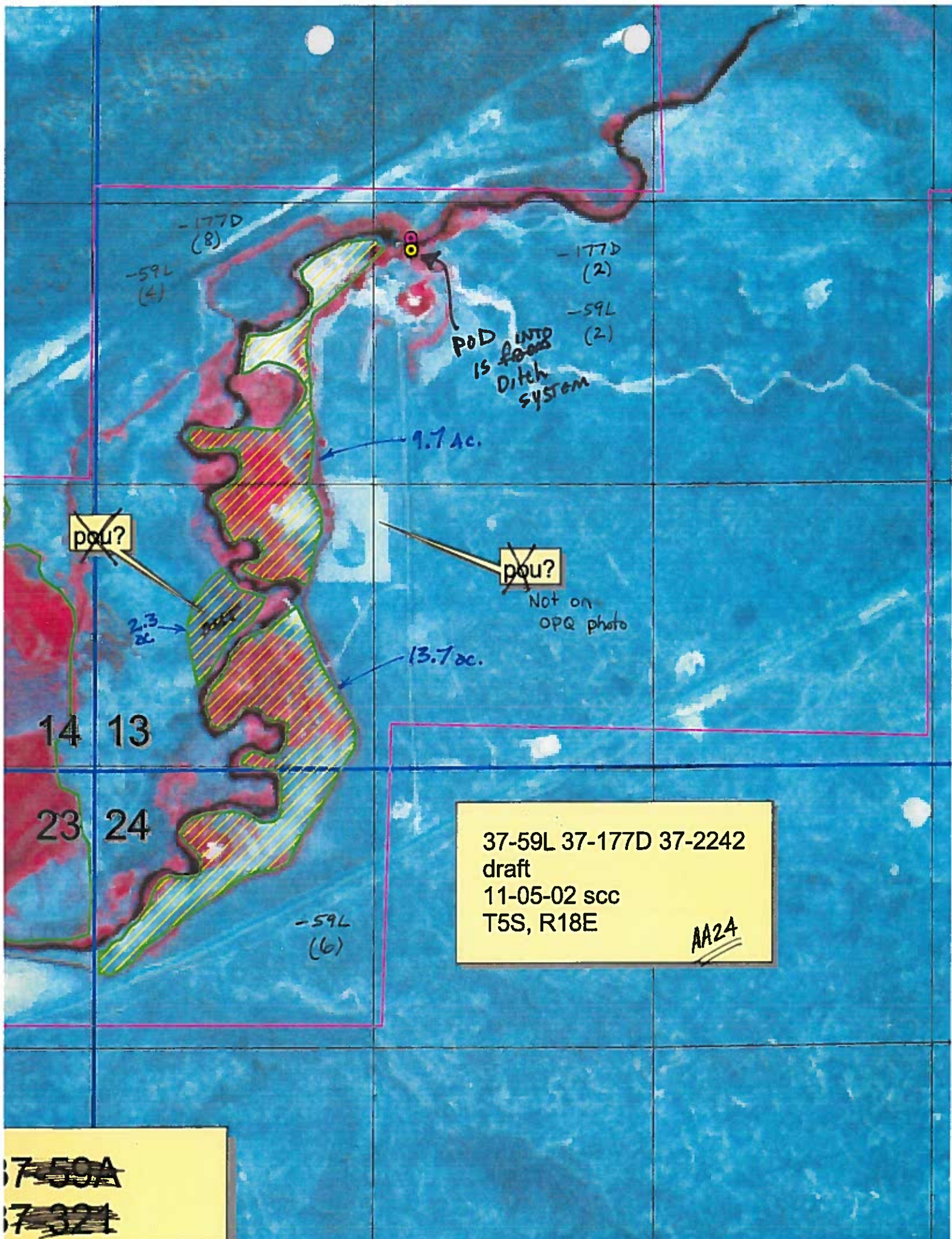
Remarks:
purchased
3 yrs ago -
I explained the
details of Forfeiture
if there are 5 years
of non-use.

POU combined across
K06 ? acre limit
Source G02 ok } -59L only
Q: 27% C. loss
C05 POU
C03 POD

4/3/03 COO notes:

Price phone is disconnected.

In reading letter of COO issues, the
Quantity for -59L is after the 27%
Con loss deduction (= .23 cfs.) This
matches the known record for this Pt.
I will complete the COO since no
split has occurred and deed
is silent on splits.



37-59L 37-177D 37-2242
draft
11-05-02 scc
T5S, R18E
AA24

37-59A
37-321



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

NOVEMBER 6, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

VARNELL H PRICE
SANDRA D PRICE
PO BOX 78
SHOSHONE ID 83352

RE: RENUMBERED CLAIM 37-59I TO 37-59L

Dear Claimants,

After initially reviewing your claim 37-59I, it has been renumbered to 37-59L because it is so often confused with the number -591. A copy is enclosed for your records.

It also appears you may have some unfinished business with a change of ownership for the lands described in the claim. Since I am preparing to report this claim to the SRBA court it would be wise to resolve any discrepancies at this time of the review. Please contact me if you need assistance.

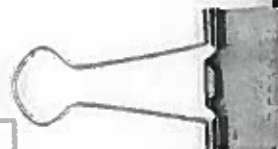
If you have further questions on this water right then please feel free to call me at our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland', is written over a horizontal line.

STEVE CLELLAND
Sr. Water Resource Agent

ENC:



R18E R19E AA24

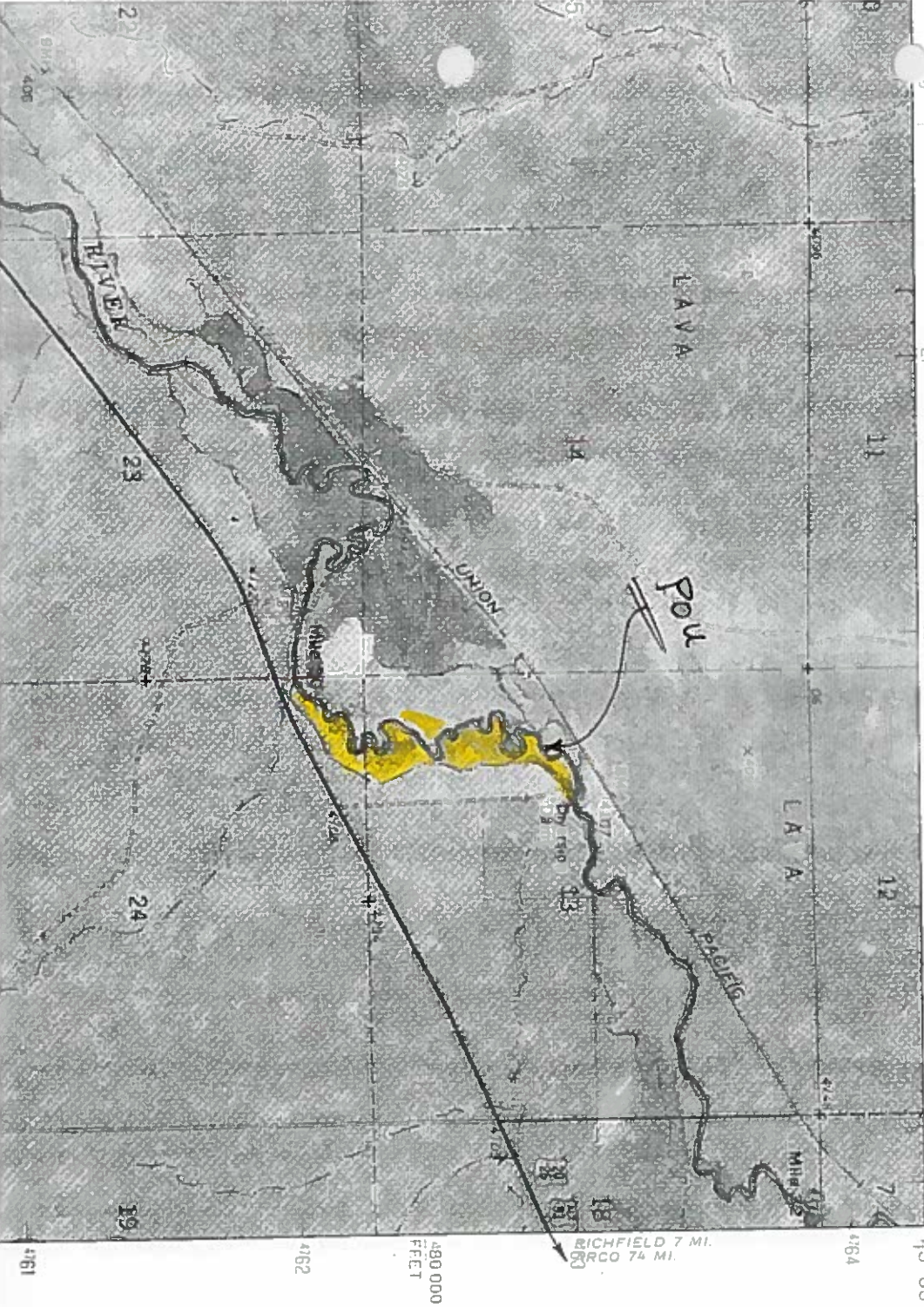
T55

DIETRICH QUADRANGLE
IDAHO
T55 MINUTE SERIES (ORTHOPHOTOQUAD)

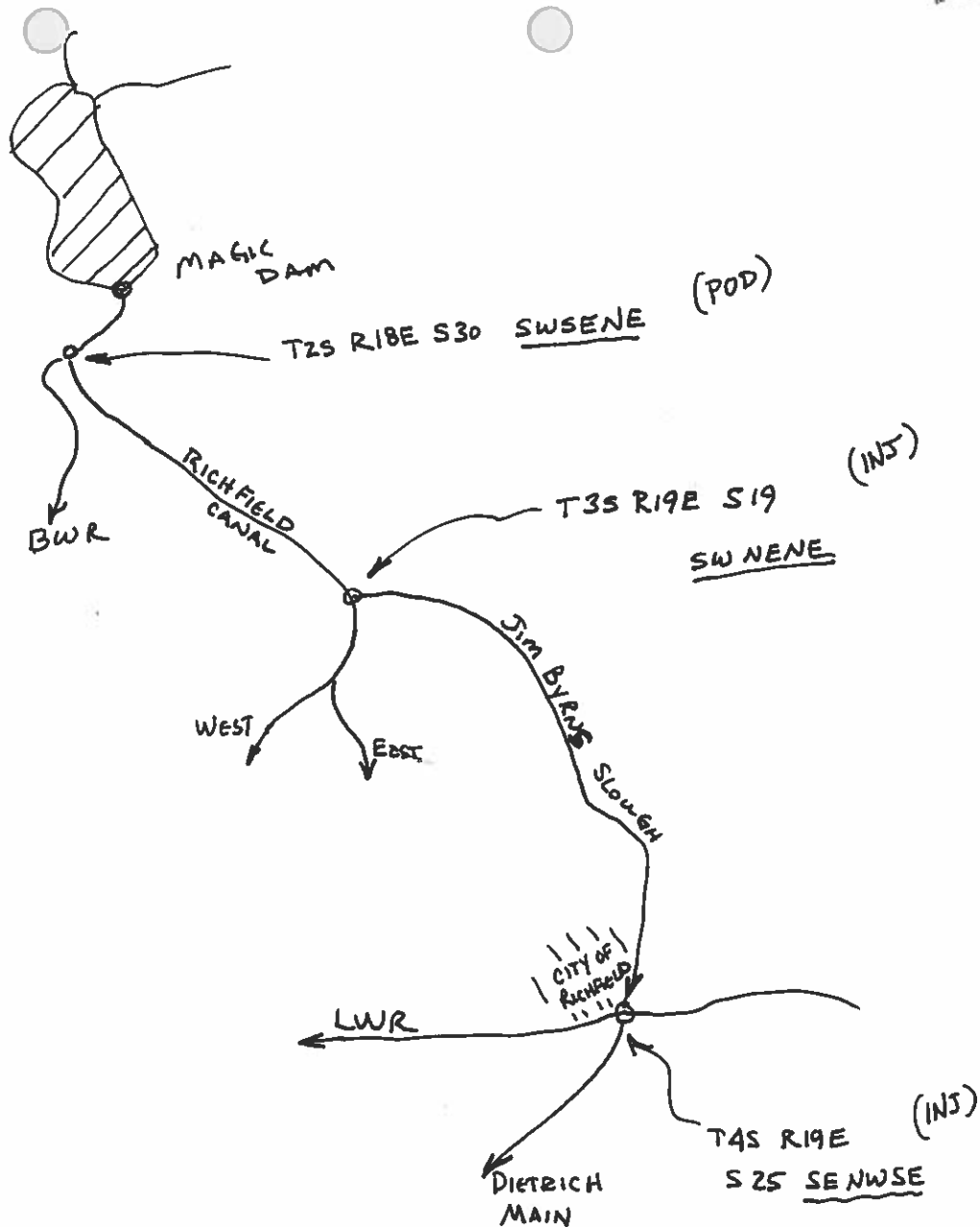
430 000 FEET R 18 E R 19 E

114° 15' 43" 00'

11/6/02
SCC



37-59L
37-177D
37-2242



37-59 Review/splits

11/4/02
SCC

<u>Basel Seq</u>	<u>Suffix</u>	<u>Basel Status</u>	<u>Right ID</u>	<u>Priority Dat</u>	<u>Rate/c</u>	<u>Volume</u>	<u>Source</u>	<u>Watr Owner(s)</u>	<u>Version</u>	<u>Source Ta</u>	<u>App ID</u>
37	59	Decr Active	234414	1899-05-27	2.3		BIG WOOL IRR I ARKOOSH, BILL (Current);	wrAdjudicationClaim			
37	59 A	Decr Active	234415	1899-05-27	4.66	692	BIG WOOL IRR I ANCHUSTEGUI, ALEX (Cu	wrAdjudicationClaim			
37	59 B	Decr Active	234416	1899-05-27	4.16		BIG WOOL IRR I TABER, DONALD (Current)	wrAdjudicationClaim			
37	59 C	Decr Active	234417	1899-05-27	3.58	642	LITTLE W IRR I DINGES, RICHARD A (Curr	wrAdjudicationClaim			
37	59 D	Decr Active	234418	1899-05-27	0.38		BIG WOOL IRR I BRYANT III, ERNESTATE f	wrAdjudicationClaim			
37	59 G	Decr Active	234419	1899-05-27	1		LITTLE W IRR I NEWELL, CHARLES E (Cu	wrAdjudicationClaim			
37	59 H	Decr Active	234420	1899-05-27	2.88		BIG WOOL IRR I THORNTON, LARRY (Curr	wrAdjudicationClaim			
37	59 I	Decr Active	234421	1899-05-27	0.32		LITTLE W IRR I PRICE, SANDRA (Current);	wrAdjudicationClaim			
37	59 J	Decr Active	234422	1899-05-27	0.23		LITTLE W IRR I MC DADE, ERNESTATE J	wrAdjudicationClaim			
37	59 K	Decr Active	282299	1899-05-27	21.76	872	BIG WOOL IRR I STIMPSON, DON F (Curr	wrAdjudicationClaim			
37	59 A	Decr Active	346578	1899-05-27	4.66	692	BIG WOOL IRR I ANCHUST	1 wrAdjudicationRecommendation			
37	59 K	Decr Active	346552	1899-05-27	21.76	872	BIG WOOL IRR I STIMPSON	1 wrAdjudicationRecommendation			
37	59 B	Decr Active	36644	1899-05-27	4.16		BIG WOOL IRR I TABER, DONALD (Current)	wrWaterRight			
37	59 D	Decr Active	36646	1899-05-27	0.38		BIG WOOL IRR I BRYANT III, ERNESTATE f	wrWaterRight			
37	59 F	Decr Active	36648	1899-05-27	21.76	872	BIG WOOL IRR I STIMPSON, DON F (Curr	wrWaterRight			
37	59 G	Decr Active	36649	1899-05-27	161		BIG WOOL IRR I COTTONWOOD CANAL C	wrWaterRight			
37	59 H	Decr Active	36650	1899-05-27	4.66	692	BIG WOOL IRR I ANCHUSTEGUI, ALEX (Cu	wrWaterRight			
37	59 K	Active	346552	1899-05-27	21.76	872	BIG WOOL IRR I ANCHUSTEGUI, ALEX (Cu	wrWaterRight			
37	59 K	Active	561456	1899-05-27	21.76	872	BIG WOOL IRR I ANCHUSTEGUI, ALEX (Cu	wrWaterRight			

Remanded from 1 to L
11/6/02
SCC

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-59G

WATER RIGHT NUMBER: 37-59G

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	COTTONWOOD CANAL CO OAKLEY, ID

Priority Date: 05/27/1899

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	161.040 CFS	
	<u>Total Diversion:</u>	161.040 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4SE1/4	Sec. 30, Twp 02S, Rge 18E, B.M.
BLAINE County		

Place of UseConditions of Approval:Remarks:

- General TRANS. 156 & UNRECORDED TRANS. TO BIG WOOD CANAL CO.
RT. OWNED BY VARIOUS INDIVIDUALS FOR USE ON UNKNOWN LANDS.
SEE WATER RIGHT FILE.
RT. SUBJECT TO 27% CONVEYANCE LOSS WHEN REDIV. FROM LITTLE WOOD RIVER.
REDIV. IS UNDER CONTROL OF DIST. 37M WATERMASTER.

Comments:

- SKAGGS 3/23/1994 TRANSFER NO. 4172
Comment: Transfer No. 4172 was filed to add a point of diversion under Right No. 37-00321 and points of rediversion under a part of Right No. 37-00059E, splitting the right into parts G and H. The diversion system under 37-00059H and the common place of use are defined thru the transfer.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-59G

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 7, 2000

Pete and Sandra Price
1284 Kanaka Rapids Road
Buhl, Idaho 83316

RE: Inquiry - Water Rights Appurtenant to Kanaka Rapids Ranch, The Bluffs at Kanaka Rapids Ranch, The Riverside at Kanaka Rapids Ranch

Dear Pete and Sandra,

Per your request, please find enclosed profile reports of Licensed Water Rights and Adjudication Claims for a Water Right, which I found appurtenant to the Kanaka Rapids Ranch complex. Some explanation of the enclosed may be of help.

Two licensed Water Rights and their corresponding Adjudication Claims, 47-07261A and 47-07261B, represent the surface water rights for irrigation on portions of Sections 10 and 11, T09S, R14E. The current owner of record of these rights is Collins Brothers.

Three licensed Water Rights (no Adjudication Claims required as the beneficial use began after commencement of the Adjudication), in the name of Kanaka Rapids Ranch Homeowners, appear to be non-consumptive rights for diversion of water into the various ponds. These three Water Right numbers are: 47-07551A, 47-07551B and 47-07551C.

Another Water Right appurtenant to the complex is still in the Permit stage. It is identified as 47-07680, and the uses approved for that permit included domestic, irrigation, commercial and heating from three geothermal wells. There has been some discussion as to the eventual approved place of use for irrigation and heating, as well as the actual production capacity of the wells; at this time the license proposal is still under review by our agency Director. This permit is in the name of Kanaka Rapids Ranch Homeowners Water System, Inc. I am enclosing a computer printout of this permit, but please bear in mind that the eventual license may or may not agree with any of the elements as they appear on the permit.

On an unrelated matter, I am sending you a copy of a letter sent to Ofer Inbar concerning the change of ownership of water rights on your

431-00007 #7

property adjacent to the Little Wood River. There was some confusion as to just what water rights were conveyed by you to the buyer, as identification numbers mentioned in the warranty deed did not match the elements of the water rights referred to, and you retained some of the land to which the water rights were appurtenant. Mr(?) Inbar did not respond to this letter, and as a result, all the irrigation rights on the property remain in your name. It is the responsibility of the new owner of water rights to provide the Department with proper information, but you may wish to contact either the buyer, or IDWR, to help clarify your intentions, and I can certainly help you with that matter.

Please don't hesitate to contact me if you feel I can be of further assistance, however our Regional Manager, Mr. Allen Merritt, would properly be able to provide you more information if you have questions regarding the status of the permit for use of geothermal water in the Kanaka Rapids subdivision.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Adjudication Bureau

^L
A37-00059~~A~~ = #39576 on WD
A37-00177 D = #39356 on WD

A37-02242-GW RIGHT
A37-10665-Domestic & Stock



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

April 13, 1999

KARL J. DREHER
DIRECTOR

OFER INBAR
404 E HWY 26
SHOSHONE ID 83352

Re: SRBA Adjudication claims A37-00059I and A37-10665
Ownership Change Price to Inbar

Dear Mr. Inbar:

Thank you for notifying the department that you presently own the property to which to above listed claims are appurtenant. You have been added as current owner to claim A37-10665. However, there are some issues that need to be resolved before the change to A37-00059I can be completed.

Water rights are typically considered an appurtenance to a property. When a new owner acquires a portion of the former owner's property, the new owner receives a proportional share of all water rights appurtenant to the property unless the warranty deed specifically states otherwise. Your deed states that you are to receive "11.7 inches of deliverable water right from Big Cottonwood Creek with a May 27, 1899 priority date." Claim A37-00059I is the only irrigation claim appurtenant to your property with that priority date. Therefore, it appears you are to receive .23 cfs of claim A37-00059I. Your deed also states you are to receive "the groundwater rights for domestic, stockwater and irrigation from the well located on the property as evidenced by that portion of claim no. 39356." We do not have in our files a groundwater claim for irrigation purposes on the property you purchased.

The problem arises because there are two other claims (A37-00177D and A37-02242) in the name of Varnell and Sandra Price with places of use overlapping the property you purchased from them. If the Price's intended to keep all the water listed on these two claims for themselves, a water right transfer is necessary to move the water from the property you own to the property the Price's retained. If you were to get a proportional share of these claims, your deed and ownership change form should reflect this. Until this issue is resolved, the ownership change cannot be completed.

Page 2
Ofer Inbar
April 13, 1999

The best way to resolve this would be for you to contact the Price's for a mutually agreeable time to come into this office and meet with an agent. Please phone for an appointment prior to coming in to make sure one of the agents will be free to assist you.

I am returning your original ownership change form with attachments as well as print-outs of all the claims in question. Please bring these documents with you when you meet with one of our agents. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script, reading "Trish Fawcett".

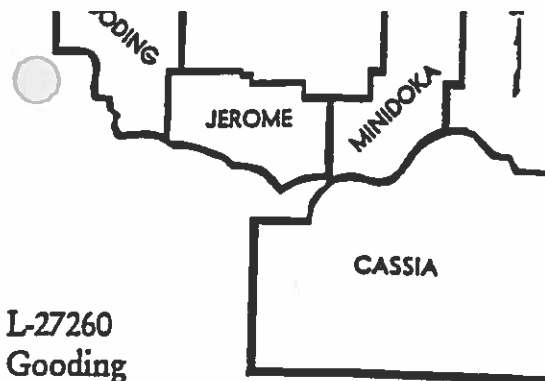
Trish Fawcett
Technical Records Specialist

/tf
Enclosures

cc: Varnell and Sandra Price

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: L-27260
OFFICE: Gooding

September 23, 1998

Idaho Department of Water Resources
1341 Fillmore Street
Twin Falls, ID 83301

RECEIVED

SEP 24 1998

Department of Water Resources
Southern Region

Re: Water Transfer
PRICE/INBAR

Dear :

Please find enclosed the following document which is being sent to you regarding the water transfer for the above referenced transaction:

Copy of the Warranty Deed.
ASCS Map.
Change of Ownership form.
Adjudication Reports.

Should you have any questions concerning this account please contact our Escrow Department at (208) 934-8477.

Very truly yours,

LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script, appearing to read "Shelley Fredrickson".

Shelley Fredrickson
Escrow Department

X 177, BURLEY, IDAHO 83318
ONE 878-3524 - FAX 878-4435

X 348, JEROME, IDAHO 83338
ONE 324-3357 - FAX 324-8881

X 473, GOODING, IDAHO 83330
ONE 834-8477 - FAX 834-5890

X 111, RUPERT, IDAHO 83350
ONE 438-0808 - FAX 438-1108