

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: A37-00114F
Date Received: 10/ 5/1988
Receipt No: X777777
Received By: *[Signature]*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CARL BROWNING 208-788-9673
Address: PO BOX 259
BELLEVUE ID 83313
OR
Name: BARBARA BROWNING 208-788-9673
Address: PO BOX 259
BELLEVUE ID 83313

2. Date of Priority: MAY 1, 1886

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	29	NW	NW	4	IRR	20.0

10. Place of Use: Continued

Section Acres 20.0

Total Acres 20.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

SEE #A37-02559

14. Remarks:

THIS IS A PORTION OF WR 37-00114 FOR 15.0 CFS.

|
CHANGE IN OWNERSHIP RESULTS IN CHANGE IN P/U IN NE¹
OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-00114A.

BS RANCH OWNS "D" PORTION, HG2 OWNS "E" PORTION, & BROWNINGS OWNS
"F" PORTION. TLB 6/27/97

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST, ET.AL.

Decree Plaintiff

ALTURAS WATER CO., ET.AL.

vs Decree Defendant

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

REC 7 E 10

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

APR 01 1997

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) ALL SURFACE RIGHTS: A37-11526, A37-00664C,
Adjudication Claim Number(s) A37-00665M, A37-00114A, A37-00666K, A37-00667P

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) B. S. RANCH
388 GANNETT ROAD, BELLEVUE, ID 83313

4. New Owner/Claimant(s) BROWNING, CARL OR BARBARA
New Mailing Address PO BOX 259

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

City, State and ZIP Code BELLEVUE, ID 83313
New Telephone Number (208) 788-9673

5. Date you acquired the property 3-30-95

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 20 Number and type of stock 0

Diversion rate in CFS PRORATA Number of homes 0 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.

Signature of New Owner/Claimant(s) Carl Browning Date 3-31-97
Date _____

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

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.

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

R E C

W E D

APR 01 1997

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) ALL SURFACE RIGHTS: A37-11526, A37-00664C,
Adjudication Claim Number(s) A37-00665M, A37-00114A, A37-00666K, A37-00667P

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) B. S. RANCH

388 GANNETT ROAD, BELLEVUE, ID 83313

4. New Owner/Claimant(s) HG2 LIMITED PARTNERSHIP

New Mailing Address PO BOX 6250

City, State and ZIP Code SUN VALLEY, ID 83354

New Telephone Number (208) 622-7119

5. Date you acquired the property 3-30-95

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 557 Number and type of stock 0

Diversion rate in CFS PRORATA Number of homes 0 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)  Date 3/28/97
HG2 Limited Partnership
S. N. Kessler, General Partner Date _____

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

(208) 622-7119

HG2 LIMITED PARTNERSHIP
PO BOX 6250
SUN VALLEY, IDAHO 83354

Fax (208) 622-8910

3/28/97

RECEIVED

APR 01 1997

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

Department of Water Resources
Southern Region

Re: Change of Water Right Ownership

This letter is to clarify and amend a Notice of Change of Water Right Ownership prepared and submitted to IDWR 3/30/95. At that time, HG2 Limited Partnership (HG2LP) purchased Lot 1 of BS Ranch Subdivision from BS Ranch Partnership (BSRP). The Notice, in error, transferred all of the water rights associated with the BS Ranch Subdivision to HG2LP, rather than a prorata share. In addition, IDWR has informed Rob Struthers, a general partner of BSRP, that the decreed priority dates of some of the claims may be incorrect. The following are herein submitted to be substituted for the incorrect submission of 3/30/95:

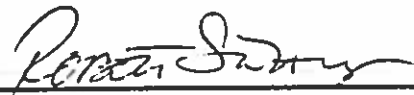
1. Notice of Change for the transfer of surface water rights from BSRP to HG2LP.
2. Notice of Change for the transfer of surface water rights from BSRP to Carl or Barbara Browning.
3. Notice of Change for the transfer of ground water rights from BSRP to HG2LP.
4. Notice of Change for the transfer of ground water rights from BSRP to Carl or Barbara Browning.
5. A copy of the warrantee deed from BSRP to HG2LP.
6. A copy of the warrantee deed from BSRP to Carl and Barbara Browning.
7. An attachment displaying the understanding of all parties as to the prorata split of the rights.

The priority dates of the following SRBA claims should be corrected as indicated:

- | | |
|-----------------------------------|-------------------------------|
| A. Adjudication claim A37-00665M: | from 7/10/1884 to 10/15/1884 |
| B. Adjudication claim A37-00666K: | from 7/10/1884 to 06/12/1886 |
| C. Adjudication claim A37-00667P: | from 7/10/1884 to 06/15/1891. |



S. N. Kessler, General Partner
HG2 Limited Partnership



Robert Struthers, General Partner
BS Ranch Partnership

PROJECTED WATER RIGHT SPLIT - SRBA CLAIMS - IN INCHES

SRBA CLAIM #	DECREED PRIORITY	OLD BS RANCH CLAIM	NEW HG2LP CLAIM	NEW BROWNING CLAIM	NEW BS RANCH CLAIM (1)	TOTAL NEW CLAIMS
A37-11526	03/24/1883	CFS AC 1.10 617	0.99 557	0.04 20	0.07 40	1.10 617
A37-00664C	07/10/1884	CFS AC 1.96 617	1.77 557	0.06 20	0.13 40	1.96 617
A37-00665A	10/15/1884	CFS AC 2.72 617	2.46 557	0.09 20	0.18 40	2.72 617
A37-00114A	05/01/1886	CFS AC 2.48 617	2.24 557	0.08 20	0.16 40	2.48 617
A37-00666K	06/12/1886	CFS AC 4.65 617	4.20 557	0.15 20	0.30 40	4.65 617
A37-00667P	06/15/1891	CFS AC 9.30 617	8.40 557	0.30 20	0.60 40	9.30 617
TOTAL SURFACE RIGHTS		CFS AC 22.21 617	20.05 557	0.72 20	1.44 40	22.21 617
A37-02559	Licensed 10/04/1954	CFS AC 6.52 553	6.34 538	0.18 15	0.00 0	6.52 553

(1) 20 acres Lot 3 in SE/SE, 20 acres Lot 4 in SW/SW.

S N KESSLER, GPARTNER
H2 LIMITED PARTNERSHIP

ROBERT STRUTHERS, GPARTNER
H2 LIMITED PARTNERSHIP

CARI BROWNING

C.L.
110.0 1506.3 90%
103.3
1076.7
1000.00.00
3.3



WARRANTY DEED

For Value Received B S RANCH, A PARTNERSHIP CONSISTING OF ROBERT J. STRUTHERS, AND LAURIE ADAMSON FORMERLY KNOWN AS LAURIE STRUTHERS AND CARL BROWNING AND BARBARA BROWNING

the Grantor hereby grants, bargains, sells, conveys and warrants unto BQ2 LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP

the Grantee whose current address is: P.O. BOX 6250, SUN VALLEY, IDAHO 83354

the following described premises, to-wit:

Lot 1 of B.S. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. _____, records of Blaine County, Idaho.

TOGETHER WITH any and all appurtenant water rights, including but not necessarily limited to, those portions of the following water rights, based on pro-rata acreage, which are appurtenant to the above described real property, identified by Idaho Department of Water Resources permit, claim and/or license numbers:

37-00577
37-00664
37-00665
37-00114
37-00666
37-00667
37-02559

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs 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 said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 28, 1995

B S RANCH, A PARTNERSHIP

(Partnership Name)

BY Carl W Browning
Carl Browning

By Robert J. Struthers
Robert J. Struthers

BY Barbara Browning
Barbara Browning

By Laurie Adamson
Laurie Adamson

State of IDAHO

ss.

County of BLAINE

On this 30th day of March, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared Laurie Adamson, Robert J. Struthers, Carl Browning & Barbara Browning, known to me, or identified to me on the basis of satisfactory evidence, to be the partners of the Partnership that executed the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Marla G Mink
Notary Public
Residing at: BELLEVUE
Commission Expires: 12/01/00-2000





Order No. 94-06471
This form furnished by
Blaine County Title Association

WARRANTY DEED

For Value Received B S RANCH, A PARTNERSHIP CONSISTING OF ROBERT J. STRUTHERS, AND LAURIE ADAMSON FORMERLY KNOWN AS LAURIE STRUTHERS AND CARL BROWNING AND BARBARA BROWNING

the Grantor hereby grants, bargains, sells, conveys and warrants unto CARL BROWNING AND BARBARA BROWNING, HUSBAND AND WIFE

the Grantee whose current address is: P.O. BOX 359, BELLEVUE, IDAHO 83313

the following described premises, to-wit:

Lot 4 of B.S. RANCH SUBDIVISION, according to the official plat thereof recorded March 31, 1995 as Instrument No. 376932, records of Blaine County, Idaho.

376932

Rec'd

BLAINE CO. REQUEST
OF BLAINE COUNTY TITLE

'95 MAR 31 PM 2 55

MARY GREEN CLERK MPP

FEES \$ 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs 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 said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 28, 1995

B S RANCH, A PARTNERSHIP

(Partnership Name)

BY Carl Browning
Carl Browning

By Robert J. Struthers
Robert J. Struthers

BY Barbara Browning
Barbara Browning
State of IDAHO

By Laurie Adamson
Laurie Adamson

County of BLAINE

On this 30th day of March, 1995, before me, the

undersigned, a Notary Public, in and for said State, personally appeared Robert J. Struthers, Carl Browning, Barbara Browning

known to me, or identified to me on the basis of satisfactory

evidence, to be the Partnership of the Partnership that executed

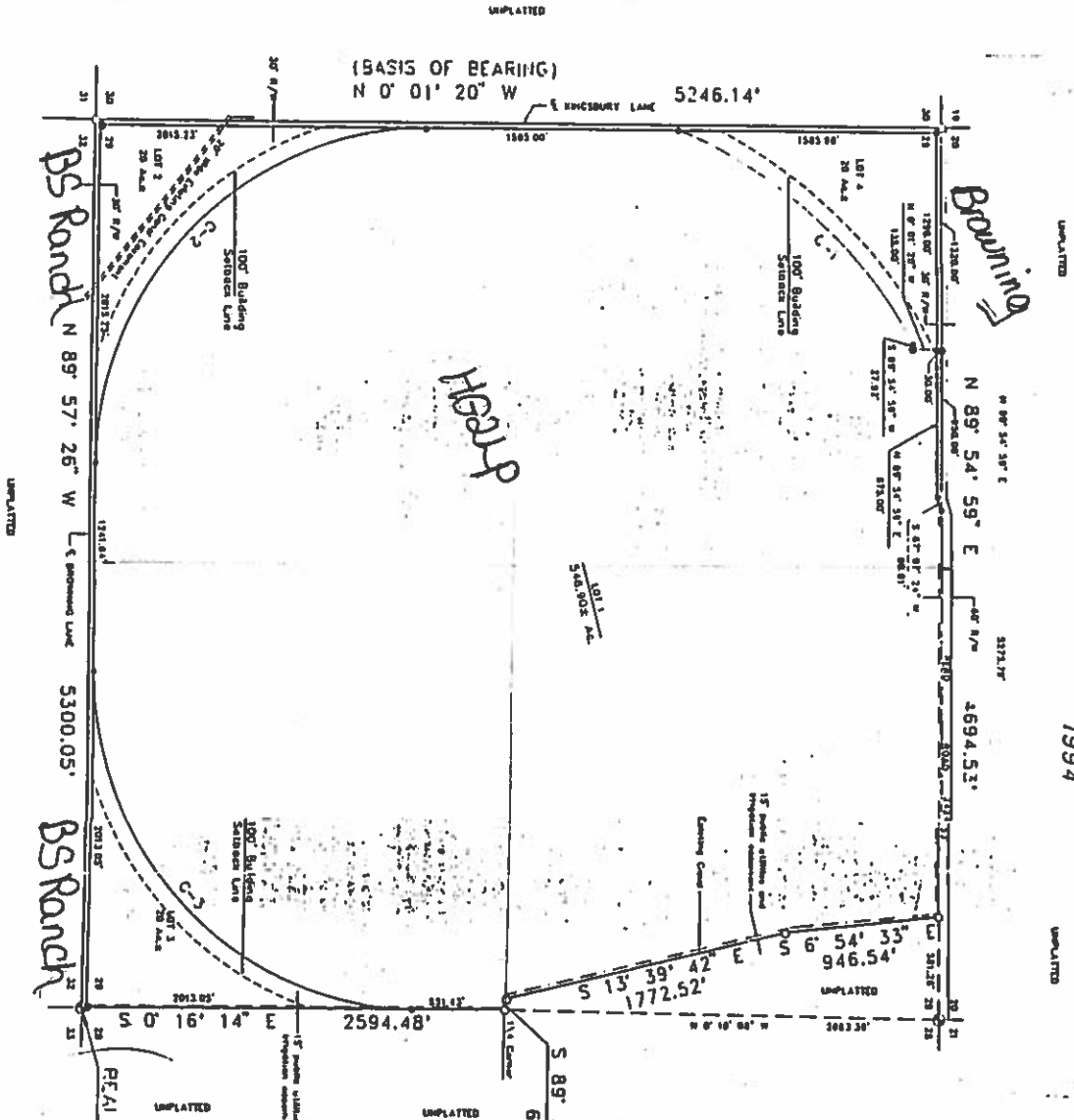
the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Mary Green Clerk
Notary Public

(SEAL)

Located in Section 29, T.1N., R.19E., B.M.
Blaine County, Idaho
1994



CURVE DATA

Curve	Station	Angle	Radius	Chord	Offset
C-1	38° 56' 18"	2814.72'	1843.17'	1924.09'	5 40' 35 60" W
C-2	87° 56' 03"	2817.52'	3184.82'	2351.38'	5 44' 35 23" E
C-3	80° 16' 48"	2001.07'	3185.00'	2239.20'	5 44' 35 10" E

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 24, Chapter 13, have been satisfied. Sanitary restrictions may be removed, in accordance with Idaho Code Title 24, Chapter 13, Section 24-1313, by the issuance of a certificate of desegregation.

Date _____
South Central District Health Dept. CHS

NOTES

1. For protection requirements of the Wood River Rural Fire District one (1) acre of land is hereby set aside for the use of the district.
2. All property within the boundaries of the building shall be maintained.
3. Maintenance and repair of the building shall be the responsibility of the owner of the building.
4. The bottom of the building shall not exceed 42 inches in height with the bottom of the building.
5. This property is surrounded by active productive agricultural land.
6. The property is surrounded by active productive agricultural land.
7. The property is surrounded by active productive agricultural land.
8. The property is surrounded by active productive agricultural land.
9. The property is surrounded by active productive agricultural land.
10. The property is surrounded by active productive agricultural land.



SAWTOOTH ENGINEERING
Civil Engineers and Land Surveyors
Bozeman (208) 788-9886
7047/DWC 8-31-94

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: A37-00114A
Date Received: 9/19/1988
Receipt No: MOO 1513
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLIE BROWNING, INC. 208-788-4613
Address: C/O B.S. RANCH
BOX 610
HAILEY, ID 83333
2. Date of Priority: MAY 01, 1886
3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE
5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.480		
7. Total Quantity Appropriated is:
2.480 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	29	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

A37-00114A

Page 1

Date: 10/05/88

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	19E	29	SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	37.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 637.0

Total Acres 637.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
SEE #A37-02559

14. Remarks:
THIS IS A PORTION OF WR 37-00114 FOR 15.0 CFS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

S.C. FROST, ET.AL.
Decree Plaintiff

vs

ALTURAS WATER CO., ET.AL.
Decree Defendant

MICROFILMED
FEB 22 1993

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: 1

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of _____
Title

CHARLIE BROWNING INC., that I have signed the foregoing
Organization

document in the space below as PRESIDENT of _____
Title

CHARLIE BROWNING INC. and that the statements contained in the
Organization

foregoing document are true and correct.

Carl W Browning
Signature of Authorized Agent

PRESIDENT OF CHARLIE BROWNING INC.
Title and Organization

10-5-88
Date

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of Oct 19 88

John Dal Carlon
Notary Public

Seal

Residing at Blaine Id

My Commission Expires 6/2/94

11/14/2006

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

RIGHT NUMBER: 37-114F
NAME AND ADDRESS: BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313
CARL BROWNING
PO BOX 259
BELLEVUE ID 83313

WM - OK

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.080 CFS
PRIORITY DATE: 05/01/1886
POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.080 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S29	NENW 2.00	T01N R19E S29	NWNW 18.00
---------------	-----------	---------------	------------

20 ACRES TOTAL

20

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 37-114F, 37-664G, 37-665R, 37-666P, 37-667T, 37-11526B, 37-2559B, and 37-20737.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-114A.

Property is also known as Lot 4A, B. S. Ranch Subdivision. Parcel RP00037000004AA.



Idaho Department of Water Resources

SRBA Recommendation:

37-114F

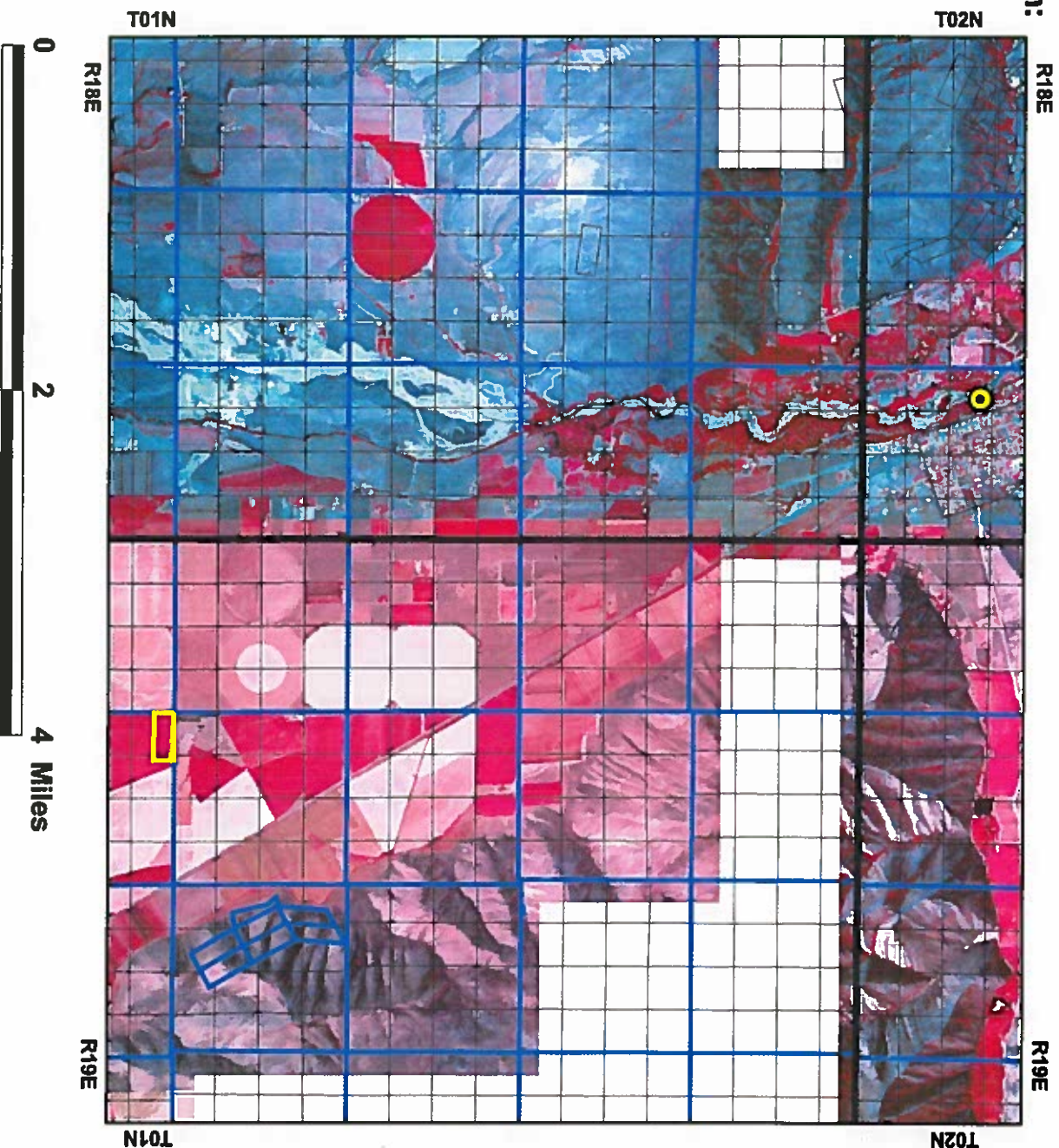
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



Prepared by J. Roberts
On Tuesday, November 14, 2006
1987/88 Aerial Photography

Owner: Barbara Browning

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

37-114F



19

30

20

29

NWNNW

NENW

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-114F V1

WATER RIGHT NUMBER: 37-114F V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	B S RANCH 388 GANNETT RD BELLEVUE, ID 83313 (208)788-4613
Original Owner	CHARLIE BROWNING INC C/O BS RANCH BOX 610 HAILEY, ID 83333 (208)788-4613
Current Owner	BARBARA BROWNING PO BOX 259 BELLEVUE, ID 83313 (208)788-9673
Current Owner	CARL BROWNING PO BOX 259 BELLEVUE, ID 83313 (208)788-9673
Original Owner	HG2 LIMITED PARTNERSHIP PO BOX 6250 SUN VALLEY, ID 83354 (208)622-7119

Priority Date: 05/01/1886

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	04/15 to 10/31	0.080 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	L3 (NE1/4SW1/4NW1/4)	Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	19E	29					2.0	18.0											20.0

Total Acres: 20

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-114F V1

Conditions of Approval:

1. P21 This right is a split from former right 37-114A.
2. C18 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.
3. E56 The rights listed below are limited to the irrigation of a combined total of 20 acres in a single irrigation season. Combined Right Nos.: 37-114F, 37-664G, 37-665R, 37-666P, 37-667T, 37-11526B, 37-2559B, and 37-20737.
4. J01 Property is also known as Lot 4A, B. S. Ranch Subdivision. Parcel RP00037000004AA.

Remarks:

Comments:

1. jroberts 11/14/2006 copied from remarks

Comment: THIS IS A PORTION OF WR 37-00114 FOR 15.0 CFS.

| CHANGE IN OWNERSHIP RESULTS IN CHANGE IN P/U IN NE¼ OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

..... OWNERSHIP CHANGE RESULTED IN A SPLIT FROM A37-00114A.

BS RANCH OWNS "D" PORTION, HG2 OWNS "E" PORTION, & BROWNING'S OWNS "F" PORTION. TLB 6/27/97

2. jroberts 11/14/2006 Basis of Recommendation

Comment: Standard season of use, PoU updated to tax lot which put 2 acres in the NENW and 18 acres in the NWNW of Sec. 29.

Water Supply Bank:

11/08/2006

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

RIGHT NUMBER: 37-114F

NAME AND ADDRESS: BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

CARL BROWNING
PO BOX 259
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 05/01/1886

POINT OF
DIVERSION: T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.080 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S29 Lot 4 NWNW 20.00

20 ACRES TOTAL

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

THIS IS A PORTION OF WR 37-00114 FOR 15.0 CFS.

| CHANGE IN OWNERSHIP RESULTS IN CHANGE IN P/U IN NEW
OWNERSHIP CHANGE MADE 10/12/95 BY TLB.

***** OWNERSHIP CHANGE RESULTED IN A
SPLIT FROM A37-00114A.

BS RANCH OWNS "D" PORTION, HGZ OWNS "E" PORTION, &
BROWNING OWNS "F" PORTION. TLB 6/27/97

EXPLANATORY MATERIAL: BASIS OF CLAIM -



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

September 2, 1997

CERTIFIED

Michael A Harris
98 Friedman Lane
Bellevue, ID 83313

Dean R Rogers Inc
Rt 1 Box 305
Bellevue, ID 83313

B S Ranch
388 Gannett Rd
Bellevue, ID 83313

HG2 Limited Partnership
PO Box 6250
Sun Valley, ID 83354

Carl & Barbara Browning
PO Box 259
Bellevue, ID 83313

RE: Ownership of water right 37-00114

Dear Claimants:

The department is presently processing application for transfer #4909 filed by Michael & Pepin Harris for a portion of right No. 37-00114. This application was advertised without protest. In reviewing the Snake River Basin Adjudication (SRBA) claims associated with right No. 37-00114, it is found that the following claims have been filed:

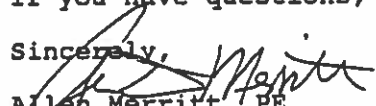
SRBA Claim No.	Claimant	Amount (CFS)
A37-00114B	Rogers	15.00
A37-00114C	Harris	12.52
A37-00114D	B S Ranch	0.16
A37-00114E	HG2	2.24
A37-00114F	Browning	0.08

*Note that right No. 37-00114 was originally decreed to R F & Rosa B Buller in the amount of 15.00 cfs

Since there is an apparent ownership dispute revolving around this right, the department requests that all claimants provide documents which clearly demonstrate or evidence their chain of title of their ownership back to the original decreed owner. Such documents may include copies of deeds, sales agreements, etc. Please submit your evidence of ownership by October 1, 1997. The department will review and utilize the evidence provided in approval or denial of the pending transfer application and also in formulating the recommendations of the above SRBA claims to the SRBA court. If you fail to respond you may jeopardize any right you may have in the use of this water.

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

Sincerely,


Allen Merritt, PE
Southern Region Manager

CC: Norm Young - IDWR
✓ Doug Jones - SRBA

Lee Peterson - Watermaster District 37



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

JUL 9, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CARL & BARBARA BROWNING
PO BOX 259
BELLEVUE ID 83313

RE: SRBA CLAIM(S): SEE ENCLOSED (CORRECTED SPLIT CLAIMS)
HG2, B.S. RANCH, BROWNING

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. THESE COPIES ARE FOR YOUR RECORDS. PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 15, 1996

FAX LETTER 208-788-5435

ROBERT STRUTHERS
B.S. RANCH
HAILEY ID 83333

RE: SRBA OWNERSHIP CHANGE (B.S. RANCH, BROWNING, HG2)

DEAR MR. STRUTHERS:

I HAVE BEEN REVIEWING THE PAPERWORK REGARDING THE OWNERSHIP CHANGE BETWEEN B.S. RANCH AND HG2 LIMITED PARTNERSHIP. THERE ARE SEVERAL ISSUES THAT NEED TO BE ADDRESSED.

YOU STATED IN OUR TELEPHONE CONVERSATION THAT THERE ARE THREE SEPARATE OWNERS OF THE FOUR LOTS. THIS CLAIM NEEDS TO NOW BE SPLIT THREE WAYS. A SEPARATE DEED IS NEEDED TO STATE THAT BROWNING OWNS LOT 4 SEPARATE OF B.S. RANCH.

IN STUDYING AND MAPPING OUT EXHIBIT "A", I HAVE FOUND PROBLEMS. THE LEGAL DESCRIPTION ONLY EXCLUDES LAND UNPLATTED BY THE CANAL AND 5 ACRES IN LOT 4. THE REST OF SECTION INCLUDING ALL OF LOT 2 AND 3 AND PART OF LOT 4 IS GIVEN TO HG2. THE GROUND WATER WELL (A37-02559) IS NOT ADDRESSED IN EXHIBIT "A". THE WARRANTY DEED STATES THAT IT BELONGS SOLELY TO HG2. THIS NEEDS TO BE CLARIFIED. ALSO THE AMOUNT OF WATER ON THE CLAIMS IS DIFFERENT THAN EXHIBIT "A". THERE IS APPROXIMATELY 1330 INCHES ON CLAIMS AND ONLY 1119 INCHES ON EXHIBIT "A".

I NEED TO KNOW EXACTLY HOW MANY IRRIGATED ACRES ARE OWNED BY THE PARTIES, AND EXACTLY HOW YOU WANT THE WATER SPLIT BETWEEN THE PARTIES. PLUS, IT WAS ALSO BROUGHT TO MY ATTENTION THAT THE PRIORITY DATES NEED TO BE AMENDED. MOST OF THE CLAIMS STATE A 7/10/1884 PRIORITY DATE WHEN EXHIBIT "A" STATES DIFFERENT DATES.

I AM FAXING A NEW OWNERSHIP CHANGE FORM, PLEASE REVIEW THIS AND CALL IF YOU HAVE ANY QUESTIONS ON WHAT IS NEEDED. MY HOURS ARE FROM 10:00 AM TO 5:00 PM, MONDAY-FRIDAY. PLEASE CALL ME AND WE WILL GET THESE CLAIMS IN THE CORRECT FORM. THANKS FOR YOUR COOPERATION.

6/9/94

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 TARA BACKLUND

DATE

February 28, 1997 10:32am

CUSTOMER

ROB STRUTHERS

SUBJECT: B.S. RANCH, HG2 ADJ CLAIMS

phone call (X) walk-in (.)

HE CALLED TODAY TO SEE HOW THE PROGRESS WAS GOING ON THE OWNERSHIP CHANGES/SPLIT. I TOLD HIM I WAS STILL WAITING ON DOCUMENTATION FROM THE ALL THE OWNERS. HE ASKED WHAT KIND OF DESCRIPTION WAS NEEDED. I TOLD HIM NEEDED, AS SPECIFIC AS POSSIBLE, WHICH PORTIONS OF PROPERTY WENT WITH WHICH OWNER. HE ASKED HOW TO SPLIT THE WATER. I TOLD HIM THAT WAS UP TO HIM. HE SAID HE WOULD DO IT "PRO RATA". HE SAID HE WOULD GET ME THE INFORMATION AS SOON AS POSSIBLE.