

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 37-177D
Date Received: 7/21/1988
Receipt No: S001038
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: 04/01/1883

3. Source: LITTLE WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

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

5. Description of diverting works:

HUGHES #63-P PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/01	0.2	
STOCKWATER	1/01	12/31	0.03	

7. Total Quantity Appropriated is:
0.2 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	STOCKWATER IRRIGATION	8

NE SW

IRRIGATION 2

Section Acres 10

Total Acres 10

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:

TRANS. 803.

P/U INCOMPLETE. SEE FILE.

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

15. Basis of Claim: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-177D

WATER RIGHT NUMBER: 37-177D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VARNELL H PRICE PO BOX 78 SHOSHONE, ID 83352 (208)487-2173
Current Owner	SANDRA D PRICE PO BOX 78 SHOSHONE, ID 83352 (208)487-2173

Priority Date: 04/01/1883

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.030 CFS	
IRRIGATION	4/15 to 10/01	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

LITTLE WOOD RIVER	NW1/4NE1/4SW1/4	Sec. 13, Twp 05S, Rge 18E, B.M.
LINCOLN County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	18E	13																	

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	
05S	18E	13									2.0	8.0							10.0

Total Acres: 10

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-177D

Remarks:

1. General TRANS. 803.
P/U INCOMPLETE. SEE FILE.
MULTIPLE P/D BECAUSE THEY PUMP OUT OF THE RIVER AT SEVERAL POINTS.

Comments:

Dates and Other Information:

Claim Received Date: 7/21/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 37M
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

000591-1rr

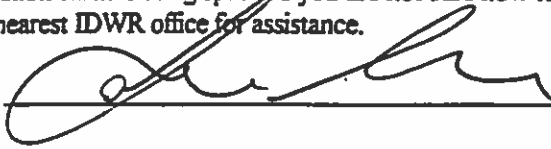
STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

Department of Water Resources
Southern Region

1. Water Right Number(s) AJ5809NP
Adjudication Claim Number(s) A37-000591 and A37-10665
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) Varnell H. Price and Sandra D. Price
P. O. Box 78, Shoshone, ID 83352
4. 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 () _____
5. Date you acquired the property August 10, 1998
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)  Date 8-7-98

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.

A37-10665 / 02 2/9/99

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.

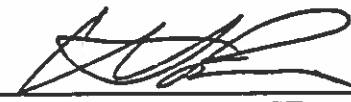
Together with 11.7" of deliverable water right from Big Cottonwood Creek with a May 27, 1899 priority date and together with the ground water rights for domestic, stock water and irrigation from the well located on the property as evidenced by that portion of Claim No. 39356, I.D.W.R. water right No.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

Consisting of 200 acres, more or less.

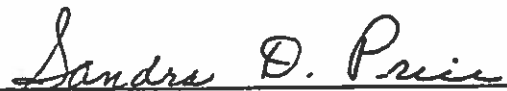
Subject to an easement in favor of Sellers for the purposes of ingress and egress for a distance of 1320' across the west 50' of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 5 South, Range 18 East, Boise Meridian.

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

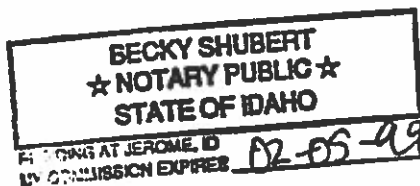
165384

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

STATE OF IDAHO)
Lincoln) ss.
County of Twin Falls)

On this 14th 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

4.4. Price

R18E

44 13
23 24

5
7.4
6.5

2-10 Shoreline

10 R1C

10 R1C

13 18
24 19

Sumner Fork
Map are not
good

1000
10

AJ5809NP
No. AJ7-000591

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/04/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VARRELL H PRICE	05/27/1899	IRRIGATION	03-01 10-01	0.32 CFS	
C	SANDRA PRICE					
	PO BOX 78					
	SHOSHONE ID 83352					
	(208) 487-2173					
TOTAL DIVERSION:					0.32 CFS	
CONSUMPTIVE USE:						36.00 AFA

Water Source: LITTLE WOOD RIVER
Tributary to: SNAKE RIVER
Points) of Diversion: T05S R18E S13 S24 N40W S40W SESW LINCOLN County LINCOLN County
Stage: DECREED

Place of use Legal Description for: IRRIGATION

NE	NW	SW	SE	SUM
1 R S : Lt Ac Lt Ac Lt Ac Lt Ac	11 Ac Lt Ac Lt Ac Lt Ac	11 Ac Lt Ac Lt Ac Lt Ac	11 Ac Lt Ac Lt Ac Lt Ac	6.0
05S 18E 13 :				6.0
05S 18E 24 :				6.0
TOTAL ACRES				12.0

POJ County: LINCOLN

Other Rights: AJ7-02242, AJ7-00177D

Remarks: GEM PART OF 37-0059 DECREE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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

Transferred 16 inch
17 dial

DATE: 08/04/98
PAGE: 4

DIVERSION
VOLUME

0.08 cfs

Stage: BENEFICIAL USE

LINCOLN County

33

SE

□

23

22

ONE

objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Audit:	07/20/88	WHITE	09/26/89	REFUNDAL	03/30/95	POST-STD
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transferrin

DATE: 08/04/98
PAGE: 3

DIVERSION
VOLUME

1.04 CFS

Stage: LICENSE

LINCOLN County
LINCOLN County

SE

52.0

objection filed Date:

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

Keep

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: _____

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: A37-00177D
Date Received: 7/20/1988
Receipt No: S001038
Received By: _____

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

OR

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

2. Date of Priority: APR 01, 1883

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

5. Description of diverting works:
HUGHES #63-P PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/01	0.200		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 50 RANGE 10 HORSES

A37-00177D

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			STOCK	
			NE	SW	IRR	2.0
			NW	SW	IRR	8.0
					Section Acres	10.0
					Total Acres	10.0

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:
DOMESTIC WELL FOR S/

14. Remarks:
TRANS. 803.
P/U INCOMPLETE. SEE FILE.
MULTIPLE P/D BECAUSE THEY PUMP OUT OF THE RIVER AT SEVERAL
POINTS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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

vs

ALTURAS WATER COMPANY, ET. AL.
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

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

A37-00177D

Date Received

Receipt Number

5001038

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

Name of Claimant (s) VARNELL H. PRICEAND SANDRA D. PRICEPhone (208) 487-2173Mailing Address P.O. Box 78, SHOSHONE, IDAHOZip 833522. Date of Priority (Only one (1) per claim) APRIL 1, 18833. Source of water supply (a) LITTLE WOOD RIVERwhich is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 5 SOUTH Range 18 E Section 13NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of LINCOLNAdditional points of diversion if any: ALONG RIVER
W 1/2 of SW 1/4 T5S R18 Sect 13MAP
Attached.AND NW 1/4 of NW 1/4 T5S R18 Sect 24

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

Township 5S Range 18 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 DONE
WITH PORTABLE GAS ENGINE PUMP AND 3" ALUMINUM HAND-
LINES. UNDERGROUND PLASTIC PIPE FOR FIRE PROTECTION OF
THIS HOME & OUTBUILDINGS - WITH 5HP ELEC PUMP

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-15 to 10-1 amount 0.20 or _____

For Stockwater purposes from 1-1 to 12-31 amount 0.03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.23 (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.) Stockwater - 10 Horses 50 Cattle

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	8							10
		13									5	5	5						

Total number of acres irrigated 10

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.
Domestic Well - Stockwater or None ()

14. Remarks:

Last Name PRICE Ident No. A37-00177D

Copies: White - State Yellow - Claimant

MICROFILMED
FEB 22 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 37-0177

Court _____ Case Number _____ Decree Date 12-13-09

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 ONE

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

Signature of Claimant (s) _____

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 _____ of _____

Title

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/or _____)
County of Lincoln) SS.

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

SEAL

Notary Public Kathryn E. Johnson

Residing at Highland Id

My Commission Expires 5-13-91

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 A37-00177D

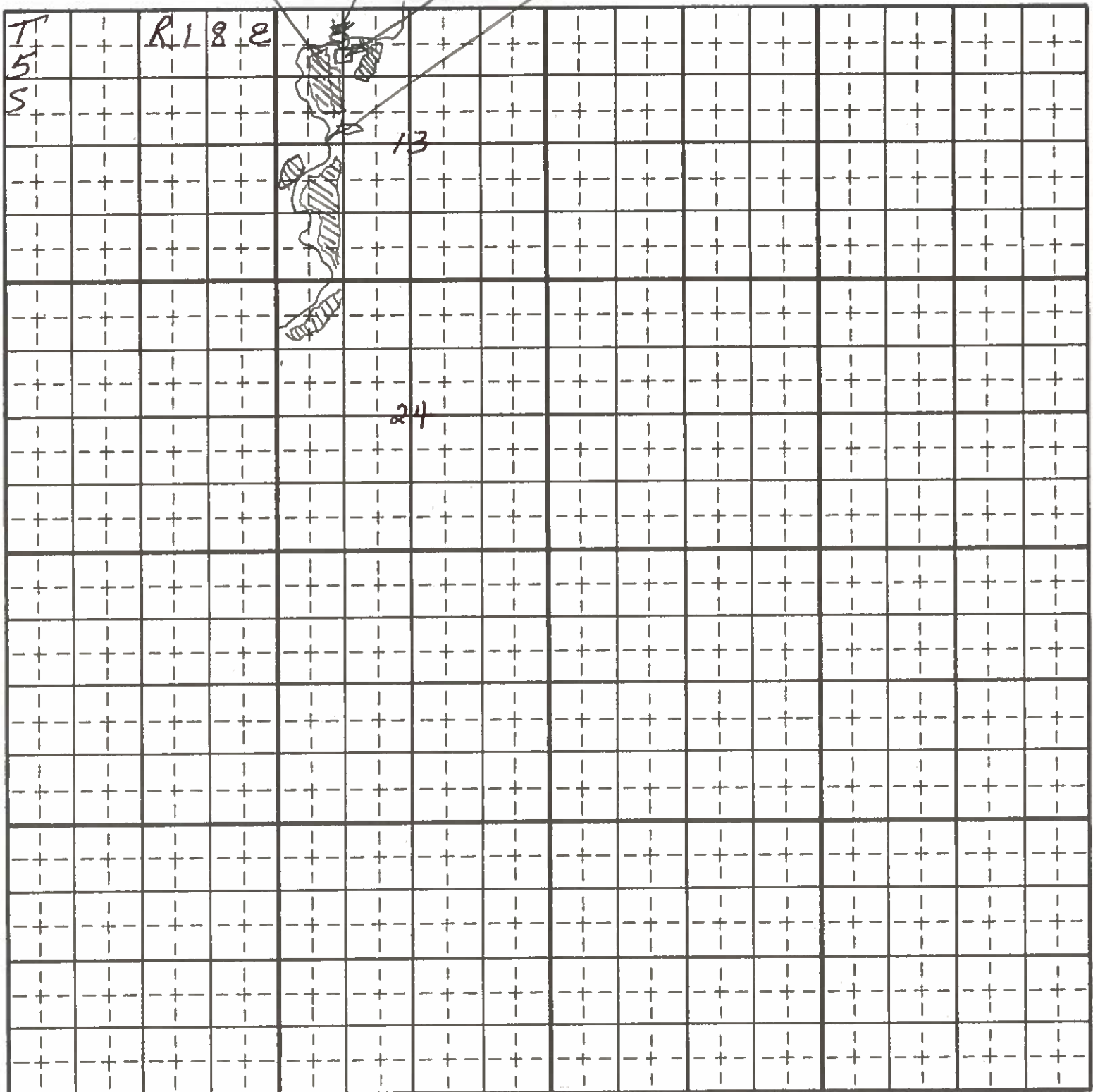
Copies White-State, Yellow-Claimant

MICROFILMED
FEB 22 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

DIVERSION PORTABLE PUMP ~~ALL~~ ALONG RIVER
POINT LITTLEWOOD RIVER
8 ACRES TWO HOUSES
LAKES



Last Name

PRICE

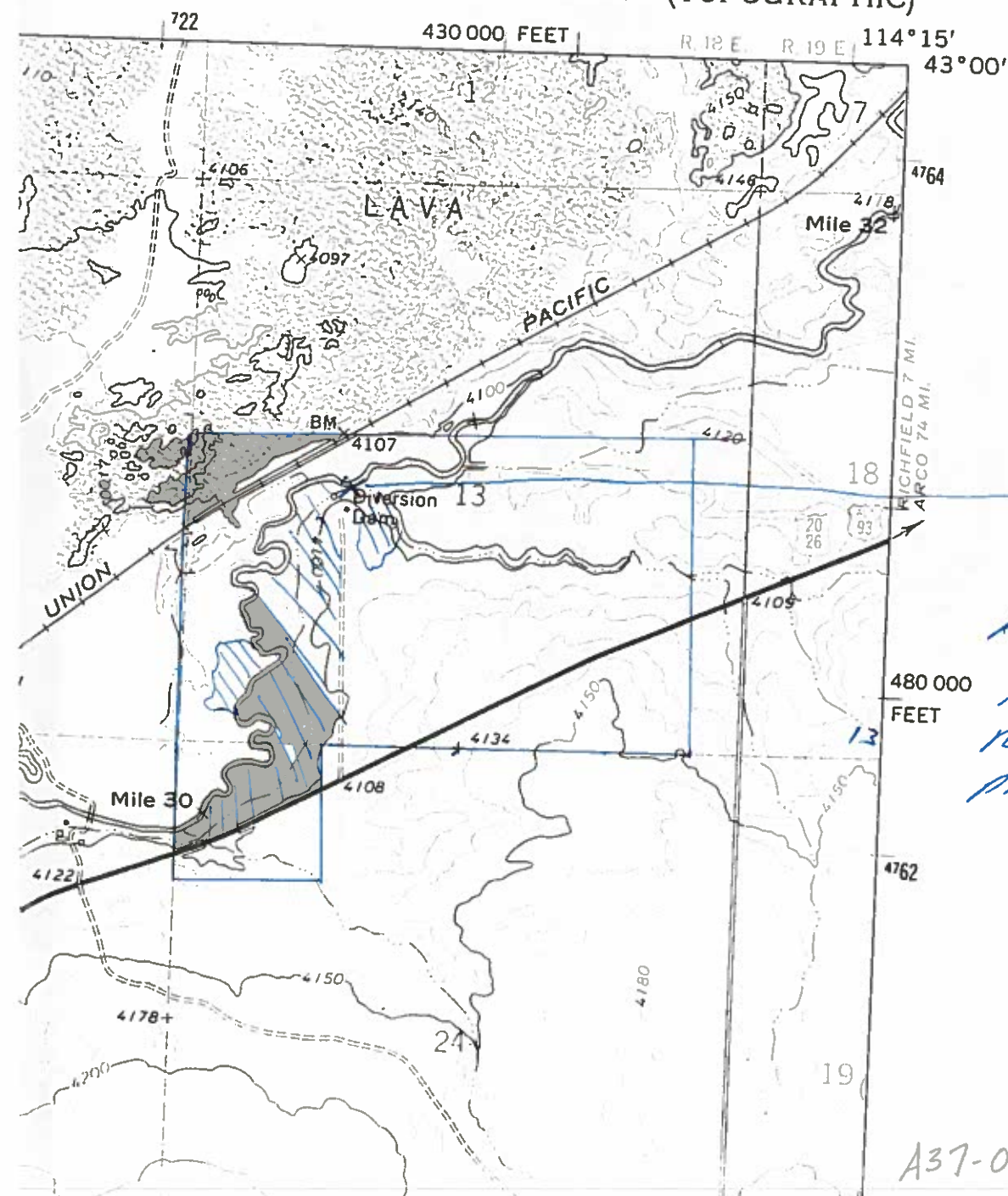
Ident No.

A37-00177D

Copies: White-State, Yellow-Quincy

MICROFILMED
FEB 22 1993

DIETRICH QUADRANGLE
IDAHO—LINCOLN CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



MAIN
DIVERSION
SITE

Also
ALL ALONG
RIVEN ON
PROPERTY

MICROFILMED
FEB 22 1993

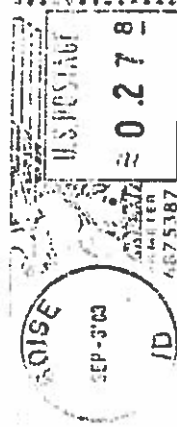
A37-00177D

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

Return Service Requested

749490
RECEIVED
SEP - 9 2003

Department of Water Resources



- ☐ Not Deliverable As Addressed
- ☐ Unable To Forward
- ☐ Insufficient Address
- ☐ Moved, Left No Address
- ☐ Unclaimed ☐ Refused
- ☐ Attempted-Not Known
- ☐ No Such Street ☐ Number
- ☐ Vacant ☐ No Mail Receiptable
- ☐ No Mail Receiptable
- ☐ Box Closed-No Order
- ☐ Shipped For Better Address
- ☐ Postage Due

OFFER INBAR
404 E US HWY 26
SHOSHONE ID 83452

37-591 } Dec
37-1770 }
37-2242 }
37-10665 } .10



05/14/2003

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

RIGHT NUMBER: 37-177D

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

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

T05S R18E S13 NWNE Within LINCOLN County Source: LITTLE 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	0.200 CFS
STOCKWATER	01/01 12/31	0.030 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

STOCKWATER Within LINCOLN County

T05S R18E S13	NESW	T05S R18E S13	NWSW
T05S R18E S13	SWSW	T05S R18E S24	NWNW

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.: 37-59L & 37-2242.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 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.

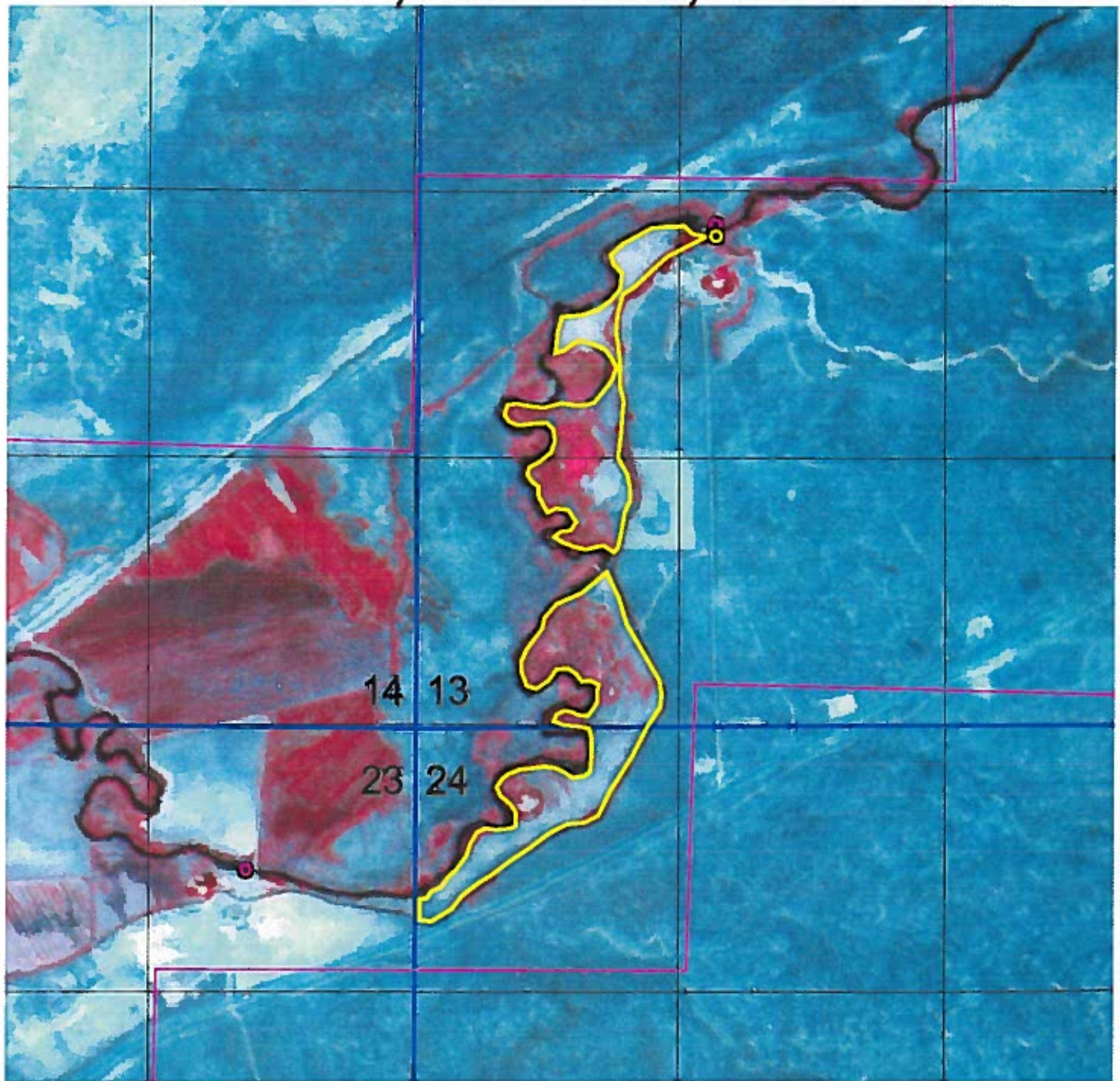
EXPLANATORY MATERIAL: Decreed

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

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
SCL

37-177 D

37-2242

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

#63
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	<u>23.4</u>
				23.4

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

EXAM

4/23/03

met w/ OFER INBAR 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 Fed.

Vet Hospital
886-2352

539-9041 cell

Purchased
3 yrs ago -

I explained other details of Forfeiture if there are 5 years of non-use.

Remarks:

POU combined acres

K06? are limit

~~Source G02~~ ok } -59L only

Q: 27% C. loss

C05 POU

C03 POD

only Contact known:

VARNELL & SANDRA PRICE

487-2173 (Disconnected)

OFER INBAR is

- new owner
- local veterinarian

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.

Water Right Report 37-177D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHARLES DILL
	, ID
Current Owner	GLEN D CALDWELL
	RICHFIELD, ID 83349

Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/	to /		
IRRIGATION	/	to /	0.200 CFS	
	Total Diversion:		0.200 CFS	

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
05S	18E	13									X	X							

Conditions of Approval:

1. General TRANS. 803.
P/U INCOMPLETE. SEE FILE.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-177D

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: 37M
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

April 13, 1999

DIRK KEMPTHORNE
GOVERNOR

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".

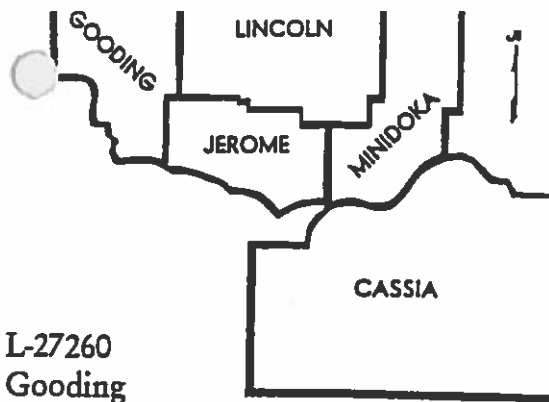
Trish Fawcett
Technical Records Specialist

/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, reading "Shelley Fredrickson".

Shelley Fredrickson
Escrow Department

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0808 - FAX 438-1198