



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

February 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAY WRIGHT
MARJORIE WRIGHT
168 W FRONTAGE RD N
JEROME ID 83338

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A37-10131

Dear Claimant(s):

Thank you for returning the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of your warranty deed, title policy or contract of sale (with attached legal description) that conveys the property associated with the above adjudication claim from the Dameles to you.

Enclosed is your original ownership change form. Please attach the required information and return the entire packet in the enclosed self-addressed envelope. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

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

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

NCAP

APR 28 1999

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
Southern Region

APR 20 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern Region

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

1. Water Right No(s).: _____
Adjudication Claim No(s).: 37-10131
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant
Stephen D. Damm & Pauline A. Damm
892 E. 820 N. Richfield, UT 84349
4. New Owner/Claimant(s)
Jay & Mayrie Wright
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 168 W. Sprague Rd. N.
City, State and ZIP Code Jerome, Idaho 83338
New Telephone Number (208) 644-1236
5. Date you acquired the property May 6, 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 you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes 2 Other uses Domestic use
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Mayrie Wright
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

For Value Received FARM CREDIT BANK OF SPOKANE, a corporation, successor
by merger to THE FEDERAL LAND BANK OF SPOKANE,
a corporation

STEPHEN D. DAMELE and PAULINE S. DAMELE, husband and wife
whose address is: 829 E 820 N. Richfield, Idaho 83341

SEE ATTACHED EXHIBIT "A"
(containing one page)

Recorded at the request of

David Little & Associates, Inc.

FEB 0 '1 90

at 8 minutes past 4 P. M.

Recorded by J. H. [unclear]
For 6-1-6 Return to: [unclear]

Land. 22.

Induced ☒ ☒

Dated: January 29, 1990

John Schindler, Regional-Manager Special Credits
STATE OF TEXAS

STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____
before me, a notary public in and for said State, per-
sonally appeared _____

known to me to be the person whose name
 subscribed to the within instrument and acknowledged
 to me that he executed the same.

STATE OF IDAHO, COUNTY OF JEROME

On this 1st day of February, 1990, before me, a notary public in and for said State, personally appeared John Schnoor, known to me to be the Regional Manager-Special Credits of Farm Credit Bank of Spokane, a corporation, successor by merger to The Federal Land Bank of Spokane, a corporation, who executed the foregoing instrument and acknowledged to me that such corporation executed the same.

Notary Public
Residing at Gooding, Blaine, Idaho
My Commission Expires 02-28-2025

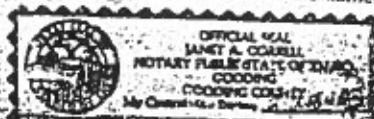


EXHIBIT "A"

TOWNSHIP 4 SOUTH, RANGE 19, EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 3: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ of Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
E $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$

Section 4: S $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 9: That part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Beginning at a point 975 feet East of the Northwest
corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence West 975 feet to said above described cor-
ner;
Thence South 260 feet;
Thence Northeast along a straight line to THE POINT
OF BEGINNING.

This land is being conveyed dry without water or
water rights appurtenant thereto.

SUBJECT TO THE FOLLOWING:

Taxes for 1990 and subsequent years, which are not yet due and
payable.

Assessments of the American Falls Reservoir District No. 2 and
the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and pow-
ers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood
Canal Company.

Reservation for an undivided one-half of the oil, gas and other
hydrocarbons and minerals contained in Deed given by The Union
Central Life Insurance Company, to Ben Skelton, a widower and
unmarried, dated October 27, 1948, recorded November 15, 1948 in
Book 42 Page 319 as Instrument Number 92494, Lincoln County
records.

Memorandum of License Agreement between Big Wood Canal Company
and The United States of America, acting through the Farmers Home
Administration dated March 19, 1987, recorded April 10, 1987 as
Instrument Number 150894, Lincoln County records.

GRANT, BARGAIN AND SALE DEED

L-16345

THIS INDENTURE is made and entered into this 2nd day of December, 1981, by and between JULIAN TOMERA RANCHES, INC., STONE HOUSE DIVISION, a Nevada corporation, "Grantor"; and STEPHEN D. DAMELE and PAULINE S. DAMELE, husband and wife, "Grantees".

WITNESSETH:

That the said Grantor, for good and valuable consideration given by the Grantees, the receipt of which is hereby acknowledged, does by these presents, grant, bargain, sell, and convey unto the said Grantees, as community property with right of survivorship, and their assigns and the heirs, executors, administrators, successors, and assigns of the survivor forever, all that certain property situate, lying, and being in the County of Lincoln, State of Idaho, and more particularly described in Exhibit "A" attached hereto, made a part hereof and incorporated herein by reference:

TOGETHER WITH all fences, gates, corrals, buildings, other fixtures and improvements on the property or used in connection therewith.

TOGETHER WITH all right, title, interest and estate SELLER has in and to all geothermal resources, geothermal energy, oil, gas, oil shales, hydrocarbons and all other minerals of every kind and nature whatsoever, existing upon, beneath the surface of, or within the above-described lands, and all mines thereof, together with all leases, rentals, royalties, and other consideration therefor.

TOGETHER WITH all leases with third parties for agricultural or any other uses or purposes whatsoever, together with all rentals, royalties, and other consideration therefor.

TOGETHER WITH all water, water rights, dams, ditches, conduits, canals, pipelines, headgates, diversions, reservoirs, springs, wells, pumps, generators, pumping stations, pipelines, rights of way, easements and all other means for the diversion or use of water appurtenant to the said property or any part thereof, or now or hereafter used or enjoyed in connection therewith, for irrigation, stock watering, domestic or any other use, or drainage of all or any part of said lands, including vested water rights, permitted water rights, decreed water rights and certificated water rights arising under the laws of the State of Idaho, together with all certificates of appropriation, applications, proofs, permits and maps relating to such water and water rights which are appurtenant to the above-described real property, or any part thereof, or used or enjoyed in connection therewith, including without limitation 304.16 shares of stock in Big Wood Canal Company, Certificate No. 9598, together with all rights and privileges appurtenant thereto, and domestic and stockwater well, Identification No. A37-10131.

MARVEL & HANSEN
ATTORNEYS AT LAW
975 COMMERCIAL STREET
P.O. BOX 2845
ELKO, NV 89801-2845
(702) 738-9881

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantees, as community property with right of survivorship, and their assigns and the heirs, executors, administrators, successors, and assigns of the survivor forever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors, has caused its corporate name to be hereunto subscribed by its duly authorized officers as of the date and year first above written:

GRANTOR:

JULIAN TOMERA RANCHES, INC.,
STONE HOUSE DIVISION, a Nevada
corporation

By: Thomas J. Tomera

Title: President

ATTEST:

By: Patsy S. Tomera

Title: Secretary

153636

INDEXED

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of

Stone House Division, Inc.

JAN 03 90

at 45 minutes past 4: P.M.
recorded by Theresa J. Hansen
Fee 9.00 Return to: Dep.
Hansel de la Haza

GRANTEE'S ADDRESS:

c/o Marvel & Hansen

978 Commercial St., Box 2645
Elko, NV 89801

STATE OF NEVADA)

)SS.

COUNTY OF ELKO)

On December 22, 19 89, personally appeared before me, a Notary Public, Thomas J. Tomera, who acknowledged that he executed said instrument for and on behalf of said corporation.

Kathleen S. Hassett
NOTARY PUBLIC



KATHLEEN S. HASSETT
Notary Public - State of Nevada
Elko County, Nevada
Commission Expires Jan 23, 1990

MARVEL & HANSEN
ATTORNEYS AT LAW
978 COMMERCIAL STREET
P. O. BOX 2645
ELKO, NV 89801-2645

EXHIBIT "A"
(REAL PROPERTY)

All that certain property situate, lying and being in the County of Lincoln, State of Idaho, more particularly described as follows:

Tract No. 1:

TOWNSHIP 4 SOUTH, RANGE 19 EAST, OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO

Section 19: NE $\frac{1}{4}$ NE $\frac{1}{4}$, except right of way
for Oregon Short Line Railroad

Tract No. 2:

TOWNSHIP 4 SOUTH, RANGE 19 EAST, OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO

Section 19: S $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$;
Section 20: NE $\frac{1}{4}$; W $\frac{1}{4}$
Section 21: W $\frac{1}{4}$ NW $\frac{1}{4}$

Except right of way for Oregon Short Line Railroad across W $\frac{1}{4}$
Section 20, Township 4 South, Range 19 East, Boise Meridian.

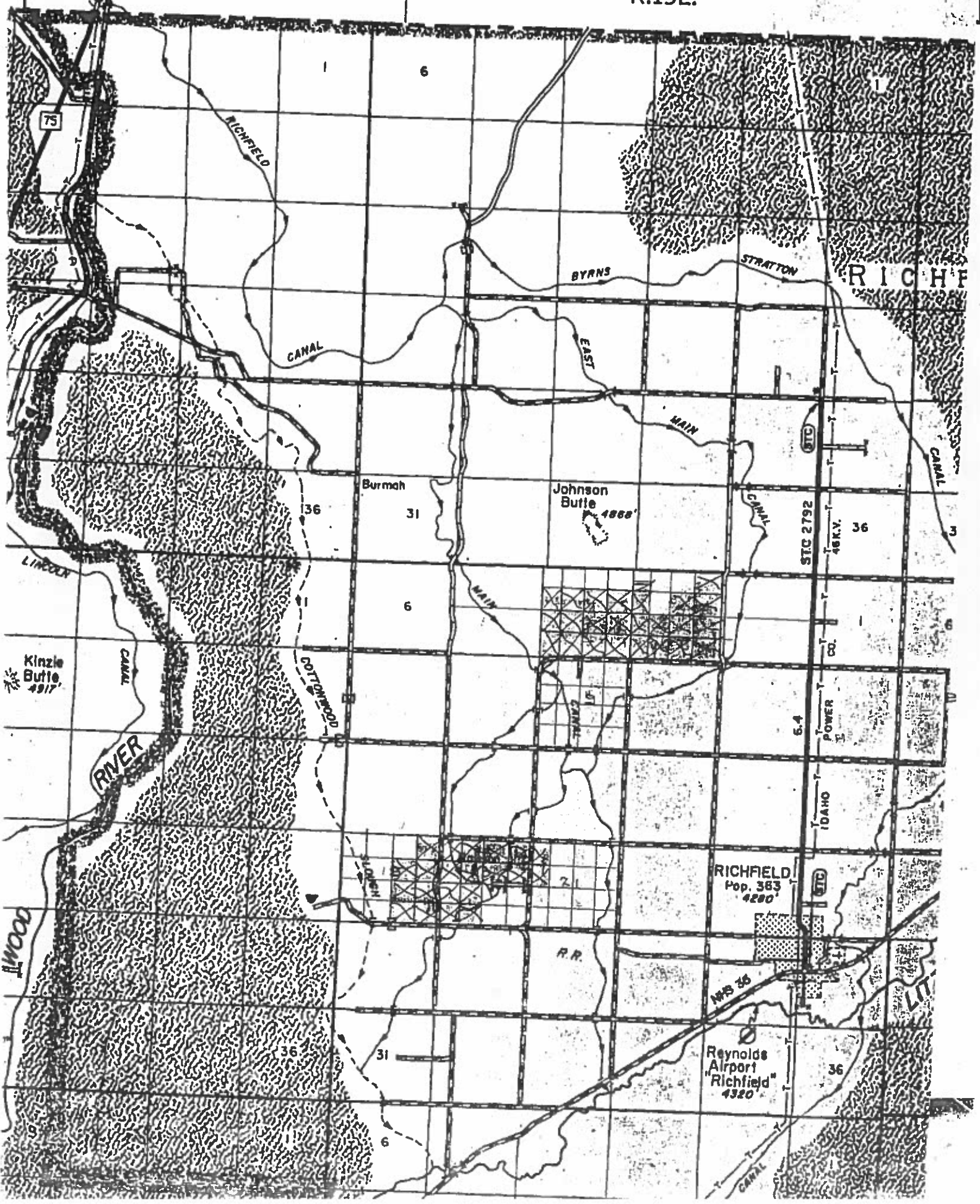
To Bellevue
19.0 MI.

B L A

114°15'

R.18E.

R.19E.





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

March 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

37-10131

STEPHAN D DAMELE

PAULINE S DAMELE

C/O MARVEL & HANSEN

PO BOX 2645

ELKO NV 89801

RE: Domestic and/or Stockwater Rights in Reporting Area 16, Basin 37
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 37 (the Big Wood River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 37 will be recommended in a later process.

Note that you have 180 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in Hailey, Fairfield, Gooding, Shoshone, Mountain Home, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed as recommended after the 180-day objection period. You will receive your decree from the SRBA Court.

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

Sincerely,

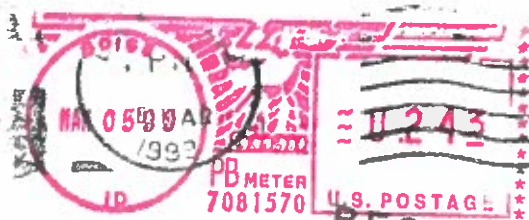
Karl J. Dreher
Director

Enclosures

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

ADDRESS SERVICE
REQUESTED

PREPAID
FIRST CLASS



UNKNOWN AT THIS
P.O. BOX

NAME IS NOT ON
BOX APPLICATION
FILE, NITC 85503

IMPORTANT WATER RIGHT INFORMATION

Not At
This Address

RECEIVED
MAR 16 1999
Department of Water Resources
Southern Region

RECEIVED
MAR 15 1999
Department of Water Resources

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

RIGHT NUMBER: 37-10131

NAME AND ADDRESS: STEPHAN D DAMELE
PAULINE S DAMELE
C/O MARVEL & HANSEN
PO BOX 2645
ELKO NV 89801

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

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

PRIORITY-DATE: 01/01/1963

POINT OF DIVERSION T04S R19E S20 SWSSEW Within LINCOLN County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.07 CFS
	DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within LINCOLN County
	T04S R19E S20	SESW
	DOMESTIC	Within LINCOLN County
	T04S R19E S20	SESW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP04S19E200000A
STOCKWATER, UNSPECIFIED

AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-70

RIGHT NUMBER: 37-10131

NAME & ADDRESS: STEPHAN D DAMELE
PAULINE S DAMELE
C/O MARVEL & HANSEN
PO BOX 2645
ELKO NV 89801

SOURCE: GROUNDWATER

QUANTITY:

0.04 CFS
0.07 ✓

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

PRIORITY DATE: 01/01/1963

POINT OF DIVERSION: T04S R19E S20 SWSEW Within LINCOLN County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.07 CFS
	DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
T04S R19E S20 SESW

DOMESTIC Within LINCOLN County
T04S R19E S20 SESW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP04S19E200000A
STOCKWATER, UNSPECIFIED

D-29-98

Claim proofread by: Uko
Date: 10-30

NAME A

(LW)

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: A37-10131
Date Received: 6/13/1988
Receipt No: S000416
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JULIAN TOMERA RANCHES INC.
Address: C/O RICHARD J. MATTHEWS, ESQ.
MATTHEWS & WINES, PC
P.O. BOX 511
ELKO, NV 89801

2. Date of Priority: JAN 01, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	19E	20	SW	SE	SW		LINCOLN

5. Description of diverting works:
8" X 400' WELL, 1HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.070		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
/D, /S

A37-10131

Page

1

Date: 01/11/90

MICROFILMED

FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	19E	20	SE SW		STOCK DOMEST	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

RECEIVED

JAN 9 1990

Department of Water Resources
Southern Region Office

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[X] Water Right Number(s): A-37-10131

[X] Name and Address of
Former Claimant: WENDELL SHURLIFF

892 East 820 NorthRichfield, ID. 83349

[X] New Claimant(s): JULIAN TOMERA RANCHES, INC. Stone House Division

[X] New Mailing Address: Richard J. Matthews, Esq.
Matthews & Wines, PC
P. O. Box 511
687 6th Street
Elko, NV. 89801

New Telephone Number: () -

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[X] Attach proof of ownership
Describe proof attached: Warranty Deed

[X] Signature of New Claimant(s): JULIAN TOMERA RANCHES, INC.
Stone House Division, a Nevada Corp.

By: x Thomas J. Tomera Pres.

Date: 1/3/90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED

FEB 24 1993

COPY

GRANT, BARGAIN AND SALE DEED

1990 THIS INDENTURE is made and entered into this 3rd day of January,
~~1989~~, by and between WENDELL R. SHURTLIFF, an unmarried man, "Grantor"; and
JULIAN TOMERA RANCHES, INC., STONE HOUSE DIVISION, a Nevada corporation,
"Grantee".

WITNESSETH:

That the said Grantor, for good and valuable consideration given by the Grantees, the receipt of which is hereby acknowledged, does by these presents, grant, bargain, sell, and convey unto the said Grantee, and its successors and assigns, all that certain property situate, lying, and being in the County of Lincoln, State of Idaho, and more particularly described in Exhibit "A" attached hereto, made a part hereof and incorporated herein by reference:

TOGETHER WITH all fences, gates, corrals, buildings, other fixtures and improvements on the property or used in connection therewith.

TOGETHER WITH all right, title, interest and estate SELLER has in and to all geothermal resources, geothermal energy, oil, gas, oil shales, hydrocarbons and all other minerals of every kind and nature whatsoever, existing upon, beneath the surface of, or within the above-described lands, and all mines thereof, together with of all leases, rentals, royalties, and other consideration therefor.

TOGETHER WITH all leases with third parties for agricultural or any other uses or purposes whatsoever, together with all rentals, royalties, and other consideration therefor.

TOGETHER WITH all water, water rights, dams, ditches, conduits, canals, pipelines, headgates, diversions, reservoirs, springs, wells, pumps, generators, pumping stations, pipelines, rights of way, easements and all other means for the diversion or use of water appurtenant to the said property or any part thereof, or now or hereafter used or enjoyed in connection therewith, for irrigation, stockwatering, domestic or any other use, or drainage of all or any part of said lands, including vested water rights, permitted water rights, decreed water rights and certificated water rights arising under the laws of the State of Idaho, together with all certificates of appropriation, applications, proofs, permits and maps relating to such water and water rights which are appurtenant to the above-described real property, or any part thereof, or used or enjoyed in connection therewith, including without limitation 304.16 shares of stock in Big Wood Canal Company, Certificate No. 9598, together with all rights and privileges appurtenant thereto, and domestic and stockwater well, Identification No. A37-10131.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantee and its successors and assigns forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is

MARVEL & HANSEN
ATTORNEYS AT LAW
978 COMMERCIAL STREET
P. O. BOX 2645
ELKO, NV 89801-2645
(702) 738-9881

MICROFILMED

FEB 24 1993

EXHIBIT "A"
(REAL PROPERTY)

All that certain property situate, lying and being in the County of Lincoln, State of Idaho, more particularly described as follows:

Tract No. 1:

**TOWNSHIP 4 SOUTH, RANGE 19 EAST, OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO**

Section 19: NE $\frac{1}{4}$ NE $\frac{1}{4}$, except right of way
for Oregon Short Line Railroad

Tract No. 2:

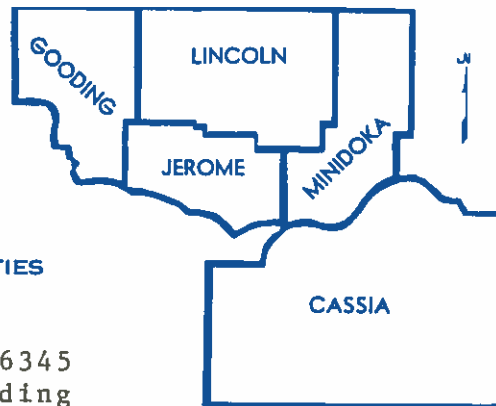
**TOWNSHIP 4 SOUTH, RANGE 19 EAST, OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO**

Section 19: S $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$;
Section 20: NE $\frac{1}{4}$; W $\frac{1}{4}$
Section 21: W $\frac{1}{4}$ NW $\frac{1}{4}$

Except right of way for Oregon Short Line Railroad across W $\frac{1}{4}$
Section 20, Township 4 South, Range 19 East, Boise Meridian.

Land Title and Escrow, Inc.

COMPLETE SERVICE — 5 IDAHO COUNTIES



REFER TO: L-16345

OFFICE: Gooding

January 8, 1990

Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Re: Real Estate Sales
Shurtliff to Tomera
Tomera to Damele

RECEIVED

JAN 9 1990

Department of Water Resources
Southern Region Office

Gentlemen:

In connection with the above referenced transactions, please find enclosed executed Change in Ownership of Notice of Claims and copies of Warranty Deeds. Should you have questions, please contact this office at 934-8477.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Janet Gorrell".

Janet Gorrell
Manager-Gooding

Enclosures

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

BOX 349, JEROME, IDAHO 83338
PHONE 324-4842 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

MICROFILMED

FEB 24 1993

NAME Δ

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: A37-10131
Date Received: 6/13/1988
Receipt No: S000416
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEPHAN D. DAMELE
Address: C/O MARVEL & HANSEN
P.O. BOX 2645
ELKO, NV

89801

AND

Name: PAULINE S. DAMELE
Address: C/O MARVEL & HANSEN
P.O. BOX 2645
ELKO, NV

89801

2. Date of Priority: JAN 01, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	19E	20	SW	SE	SW		LINCOLN

5. Description of diverting works:
8" X 400' WELL, 1HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.070		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
/D, /S

A37-10131

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Date: 01/11/90

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FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	19E	20	SE SW		STOCK DOMEST	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

JAN 9 1990

Department of Water Resources
Southern Region Office

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[X] Water Right Number(s): A-37-10131

[X] Name and Address of Former Claimant: JULIAN TOMERA RANCHES, INC.
Stone House Division, a Nevada Corp.
c/o Richard J. Matthews, Esq.
Matthews & Wines, PC
P. O. Box 511
Elko, NV. 89801

[X] New Claimant(s): STEPHEN D. DAMELE and PAULINE S. DAMELE, h/w

[X] New Mailing Address: c/o MARVEL + HANSEN
P.O. Box 2645
Elko, NV. 89801

New Telephone Number: () - -

[] Does the change in ownership result in a splitting of the water right claimed? yes x no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[X] Attach proof of ownership
Describe proof attached: Corporation Deed

[X] Signature of New Claimant(s): x Stephen D. Damele
Stephen D. Damele
x Pauline S. Damele
Pauline S. Damele

Date: 1-3-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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FEB 24 1993

COPY
GRANT, BARGAIN AND SALE DEED

L-16345

THIS INDENTURE is made and entered into this 20th day of December, 1989, by and between JULIAN TOMERA RANCHES, INC., STONE HOUSE DIVISION, a Nevada corporation, "Grantor"; and STEPHEN D. DAMELE and PAULINE S. DAMELE, husband and wife, "Grantees".

WITNESSETH:

That the said Grantor, for good and valuable consideration given by the Grantees, the receipt of which is hereby acknowledged, does by these presents, grant, bargain, sell, and convey unto the said Grantees, as community property with right of survivorship, and their assigns and the heirs, executors, administrators, successors, and assigns of the survivor forever, all that certain property situate, lying, and being in the County of Lincoln, State of Idaho, and more particularly described in Exhibit "A" attached hereto, made a part hereof and incorporated herein by reference:

TOGETHER WITH all fences, gates, corrals, buildings, other fixtures and improvements on the property or used in connection therewith.

TOGETHER WITH all right, title, interest and estate SELLER has in and to all geothermal resources, geothermal energy, oil, gas, oil shales, hydrocarbons and all other minerals of every kind and nature whatsoever, existing upon, beneath the surface of, or within the above-described lands, and all mines thereof, together with all leases, rentals, royalties, and other consideration therefor.

TOGETHER WITH all leases with third parties for agricultural or any other uses or purposes whatsoever, together with all rentals, royalties, and other consideration therefor.

TOGETHER WITH all water, water rights, dams, ditches, conduits, canals, pipelines, headgates, diversions, reservoirs, springs, wells, pumps, generators, pumping stations, pipelines, rights of way, easements and all other means for the diversion or use of water appurtenant to the said property or any part thereof, or now or hereafter used or enjoyed in connection therewith, for irrigation, stock watering, domestic or any other use, or drainage of all or any part of said lands, including vested water rights, permitted water rights, decreed water rights and certificated water rights arising under the laws of the State of Idaho, together with all certificates of appropriation, applications, proofs, permits and maps relating to such water and water rights which are appurtenant to the above-described real property, or any part thereof, or used or enjoyed in connection therewith, including without limitation 304.16 shares of stock in Big Wood Canal Company, Certificate No. 9598, together with all rights and privileges appurtenant thereto, and domestic and stockwater well, Identification No. A37-10131.

MARVEL & HANSEN
ATTORNEYS AT LAW
978 COMMERCIAL STREET
P. O. BOX 2645
ELKO, NV 89801-2645
(702) 738-9881

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FEB 24 1993

EXHIBIT "A"
(REAL PROPERTY)

All that certain property situate, lying and being in the County of Lincoln, State of Idaho, more particularly described as follows:

Tract No. 1:

**TOWNSHIP 4 SOUTH, RANGE 19 EAST, OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO**

Section 19: NE $\frac{1}{4}$ NE $\frac{1}{4}$, except right of way
for Oregon Short Line Railroad

Tract No. 2:

**TOWNSHIP 4 SOUTH, RANGE 19 EAST, OF THE BOISE
MERIDIAN, LINCOLN COUNTY, IDAHO**

Section 19: S $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$;
Section 20: NE $\frac{1}{4}$; W $\frac{1}{4}$
Section 21: W $\frac{1}{4}$ NW $\frac{1}{4}$

Except right of way for Oregon Short Line Railroad across W $\frac{1}{4}$
Section 20, Township 4 South, Range 19 East, Boise Meridian.

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: A37-10131
Date Received: 6/13/1988
Receipt No: S000416
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WENDELL SHURTLIFF
Address: 892 E. 820 N.
RICHFIELD, ID 83349

2. Date of Priority: JAN 01, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	19E	20	SW	SE	SW		LINCOLN

5. Description of diverting works:
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7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
/D, /S

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	19E	20	SE	SW		STOCK DOMEST	

A37-10131

Page 1

Date: 06/13/88

MICROFILMED
FEB 24 1993

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/28/91 03:56:01
PAGE 1

WATER RIGHT NUMBER - A37-10131

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
DAMELE

STEPHAN D.

1 - C/O MARVEL & HANSEN
2 - P.O. BOX 2645
3 -

STATE- NV ZIP- 89801

DAMELE

PAULINE S.

CITY- ELKO
PHONE - 208-000-0000
1 - C/O MARVEL S HANSEN
2 - P.O. BOX 2645

STATE- NV ZIP- 89901

*** O - ORIGINAL OWNER ***
SHURTLIFF

WENDELL

3 -
CITY- ELKO
PHONE - 208-000-0000

1 - 892 E. 820 N.
2 -
3 -

STATE- ID ZIP- 83349

JULIAN TOMERA RANCHES INC.

PHONE - 208-000-0000
1 - C/O RICHARD J. MATTHEWS, ESQ.
2 - MATTHEWS & WINES, PC
3 - P.O. BOX 511

CITY- ELKO
PHONE - 208-000-0000

STATE- NV ZIP- 89801

+ - - PRIORITY DATE - - +
01/01/1963

```

+ - - - REGION - - - +
  ERROR IN REGION

```

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - - - - - - - TRIBUTARY - - - - - - - - - - - - - - - - +

[illegible]

04S 19E 20 SW SE SW (63) LINCOLN

| + | CODE | DESCRIPTION | PERIOD FROM | PERIOD TO | WATER USE | DIVERSION RATE | DIVERSION VOLUME | + |
|---|------|-------------|-------------|-----------|-----------|----------------|------------------|---|
|---|------|-------------|-------------|-----------|-----------|----------------|------------------|---|

| | | |
|-----------------|-------|-------|
| 43 - DOMESTIC | 01/01 | 12/31 |
| 04 - STOCKWATER | 01/01 | 12/31 |

0.040
0.070

| + - TOTAL DIV. RATE - + | | + - TOTAL DIV. VOLUME - + | | + - TOTAL DIV. CAPACITY - + | | + - TOTAL CONSUMPTIVE USE - + | | + - KW USAGE - + | |
|-------------------------|-------|---------------------------|--|-----------------------------|--|-------------------------------|-----|------------------|--|
| | 0.040 | | | | | | 0.0 | | |

| TWN | RNG | SEC | TRACT | LOT | ACRES | PLACE OF USE
CODE | DESCRIPTION | COUNTY |
|-----|-----|-----|-------|-----|-------|----------------------|-------------|---------|
| 14N | 10E | 36 | 1 | 1 | 0.10 | 1 | RESIDENTIAL | CLATSOP |

| | | | | | | | |
|-----|-----|----|-------|----|------------|------|---------|
| 04S | 19E | 20 | SE SW | 04 | STOCKWATER | (63) | LINCOLN |
| 04S | 19E | 20 | SE SW | 43 | DOMESTIC | (63) | LINCOLN |

+ - - DIVERSION MEANS - 8" X 400' WELL, 1HP PUMP

LN
LN
MICROFILMED
OCT 25 1994

WATER RIGHT NUMBER - A37-10131

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - NON-IRRIGATION USE - /0, /S

2 (1 house, + M.H)

+ - - OTHER RIGHTS FOR SAME USE - NONE

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

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

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

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

+ - - AUDIT FIELDS - 06/13/88 CLELLAND 09/26/89 REFUNDML 01/11/90 WHITE

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

| | | |
|-----------------------------------|------------------------------------|-----------------------------|
| COURT REPORT FILING - 00/00/0000 | FIELD INSPECTION MADE - 00/00/0000 | CIVIL CASE NUMBER - 39576 |
| OBJECTION FILED DATE - 00/00/0000 | FIELD INSPECTION FLAG - | OLD CASE NUMBER - |
| RESPONSE FILED DATE - 00/00/0000 | VERIFIED DATE - 00/00/0000 | OLD JUDICIAL DISTRICT - |
| CLAIM RECEIVED DATE - 06/13/1988 | LAST AMENDED DATE - 00/00/0000 | TEMPORARY RIGHT - P |
| PROOF DUE DATE - 00/00/0000 | PROOF MADE DATE - 00/00/0000 | WATER DISTRICT - |
| LICENSED DATE - 00/00/0000 | RECEIPT NUMBER - S000416 | FEDERAL/STATE INDICATOR - S |
| CLAIMS TAPE ERROR FLG - | POU OWNERSHIP FLAG - Y | PRESUMPTION FLAG - |
| FEE EXEMPT FLAG - | NAME CONNECTOR - AND | NOTICE OF ERROR FLAG - |

RPO4519E 200000A

DATA ENTRY
ENTERED 11-3-93 RS
CHECKED 2/6/94 D40

"Verified By"
Topo Map/Ctho-PQ
ASCE Map
Watermaster Records
NAPS Photos
Field Exam
Other (See Remarks)
Court Report
Witness Statement
Project Notes
IDWR Records

VERIFIED
FEB 1 1 1992

CERTIFIED
MAX 2 2 1992
WATER EXAMINER