

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-10230

WATER RIGHT NUMBER: 37-10230

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SARAH E KEPPNER 454 FOUR MILE RD SHOSHONE, ID 83352
Current Owner	J SHAWN KEPPNER 454 FOUR MILE RD SHOSHONE, ID 83352
Directors Report Owner	V J OUANO 454 FOUR MILE RD SHOSHONE, ID 83352 (208)886-2822
Original Owner	ERMA PEAK 454 4 MI RD SHOSHONE, ID 83352 (208)886-7756
Directors Report Owner	M H BROOKBANK 454 FOUR MILE RD SHOSHONE, ID 83352 (208)886-2822
Original Owner	ELMER PEAK E 444 FOUR MILE RD SHOSHONE, ID 83352 (208)886-7756

Priority Date: 01/01/1917

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
STOCKWATER	1/01 to 12/31	0.070 CFS	
	<u>Total Diversion:</u>	0.110 CFS	

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4NE1/4

Sec. 12, Twp 05S, Rge 16E, B.M.

LINCOLN County

Place of UseDOMESTIC Within LINCOLN County

T05S R16E S12 SESE

STOCKWATER Within LINCOLN County

T05S R16E S12 SESE

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-10230

Conditions of Approval:

1. 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. RP05S16E122000A STOCKWATER, 250 CATTLE

Dates and Other Information:

Licensed Date:
Decreed Date: 1/10/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND/OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 4, 2002

SHAWN KEPPNER
SARAH KEPPNER
454 FOUR MILE RD
SHOSHONE ID 83352

RE: Decreed Water Right 37-10230

Dear Mr. and Mrs. Keppner:

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

Form 40-24842-1 (5/96) July, 2000

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
AUG 29 2002
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-10230					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

Name and Address of Former
 Owner/Claimant(s)

New Owner/Claimant(s)

New Mailing Address

City, State and ZIP Code

New Telephone Number

Date you acquired the property

J. Shawn and/or Sarah E. Keppner
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

454 Four Mile Rd.

Shoshone, Idaho 83352

() _____

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Snake River
(include title if applicable) ✓ Shawn Koppner

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by Shawn Koppner Date 9/3/02 Fee 25.00
 Receipted by Shawn Koppner Date 9/3/02 Receipt No. 5025191
 Processed by Shawn Koppner Date 9/10/02 WR _____ Date _____

WARRANTY DEED

#GL-03631

For Value Received

Marlynn H. Brookbank, an unmarried man and Virginia J. Ouano, an unmarried woman

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Shawn Keppner and Sarah Keppner, husband and wife
Address: 454 Four Mile Rd., Shoshone, ID 83352

Hereinafter called the Grantee, the following described premises situated in Lincoln County, Idaho, to-wit:

See Attached Schedule A

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2002 and subsequent years, taxes are an accruing lien, not yet due or 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 powers of said Company as by law provided.

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

Power Line Easement given by Donald E. Peak and Debbie F. Peak, husband and wife, to Idaho Power Company, a corporation, dated August 14, 1981, recorded December 18, 1981 as Instrument Number 141956, Lincoln County records, affecting a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 5 South, Range 16 East, Boise Meridian.

Power Line Easement given by Debbie E. Peak, to Idaho Power Company, a corporation, dated October 4, 1985, recorded March 28, 1986 as Instrument Number 149286, Lincoln County records, affecting a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 5 South, Range 16 East, Boise Meridian.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 12.0 Shares of Capital Stock of the Big Wood Canal Company and any licenses with the State of Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

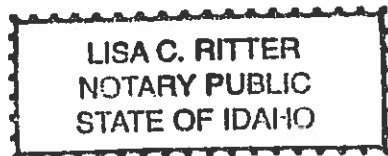
Dated: August 15, 2002

Marlynn H. Brookbank Virginia J. Ouano
Marlynn H. Brookbank Virginia J. Ouano

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 15 day of August, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Marlynn H. Brookbank and Virginia J. Ouano, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public Hagerman, ID
Residing at: 10/06/04
My Commission expires: 10/06/04



SCHEDULE A**Order Number: GL-03631****Parcel No. 1:****TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO****Section 12: A parcel of land located in the SE¼NE¼ more particularly described as follows:****Commencing at the East one quarter (E¼) corner of said Section 12.****Thence N89°02'03" W along the South Boundary of the NE¼ of Section 12 for a distance of 985.84 feet to THE TRUE POINT OF BEGINNING.****Thence continuing N89°02'03" W along the South Boundary of the NE¼ for a distance of 346.36 feet to the Southwest corner of the SE¼NE¼ of Section 12;****Thence N00°11'43" W along the West Boundary of the SE¼NE¼ for a distance of 366.60 feet;****Thence N70°25'25" E for a distance of 195.36 feet;****Thence N77°28'45" E for a distance of 121.08 feet;****Thence N49°10'42" E for a distance of 271.17 feet;****Thence N68°11'57" E for a distance of 192.52 feet;****Thence S62°26'06" E for a distance of 176.14 feet;****Thence N88°57'58" E for a distance of 489.24 feet to a point on the East Boundary of the NE¼ of Section 12;****Thence S00°09'00" E along the East Boundary of the NE¼ of Section 12 for a distance of 319.84 feet;****Thence N62°14'31" W for a distance of 224.86 feet;****Thence S56°59'38" W for a distance of 473.20 feet;****Thence S80°18'02" W for a distance of 74.64 feet;****Thence N88°12'49" W for a distance of 133.37 feet;****Thence S48°53'27" W for a distance of 241.71 feet to the TRUE POINT OF BEGINNING.****SUBJECT TO: 1 -A 25.00 foot wide county road easement along the most Easterly and most Southerly boundaries of the described parcel.****Parcel No. 2:****TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO****Section 12: A parcel of land located in the SE¼NE¼ described as follows:****Commencing at the East quarter corner of said Section 12 and being THE TRUE POINT OF BEGINNING;****Thence North 89°00'24" West along the East-West center section line for a distance of 985.84 feet;****Thence North 48°53'27" East for a distance of 241.71 feet;****Thence South 88°12'49" East for a distance of 133.37 feet;****Thence North 80°18'02" East for a distance of 74.64 feet;****Thence North 56°59'38" East for a distance of 473.20 feet;****Thence South 62°14'31" East for a distance of 224.86 feet to a point on the East boundary of the NE¼ of Section 12;****Thence South 00°09'00" East along the East boundary of the NE¼ for a distance of 337.00 feet to the East quarter corner of Section 12 and THE TRUE POINT OF BEGINNING.**

54
48

WARRANTY DEED

#GL-03631

For Value Received

Erma E. Peak, a single woman

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Marlynn H. Brookbank, an unmarried man and Virginia J. Ouano, an unmarried woman
Address: 454 Four Mile Rd., Shoshone, ID 83352

Hereinafter called the Grantee, the following described premises situated in Lincoln County, Idaho, to-wit:

See Attached Schedule A

SUBJECT TO:

Accruing taxes, levies and assessments; easements and rights of way of record if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 9, 2002

Erma E. Peak

Erma E. Peak

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of LAND TITLE & ESCROW	173163
AUG 16 2002	
at <u>58</u> minutes past <u>2</u> :P.M. recorded by <i>Melvin Jackson, Dep.</i> Fee: <u>6.00</u> Return to: <i>W.H.</i>	

STATE OF IDAHO)

) ss.

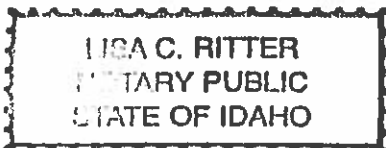
COUNTY OF Gooding)

On this 9 day of August, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Erma E. Peak, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

[Signature]
Notary Public

Residing at: *Hagerman, ID*

My Commission expires: *10/06/04*



CONTINUATION

SCHEDULE A

Order Number: GL-03631

Parcel No. 2:

**TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO**

Section 12: A parcel of land located in the SE¼NE¼ described as follows:

**Commencing at the East quarter corner of said Section 12 and being THE
TRUE POINT OF BEGINNING;**

**Thence North 89°00'24" West along the East-West center section line for a
distance of 985.84 feet;**

Thence North 48°53'27" East for a distance of 241.71 feet;

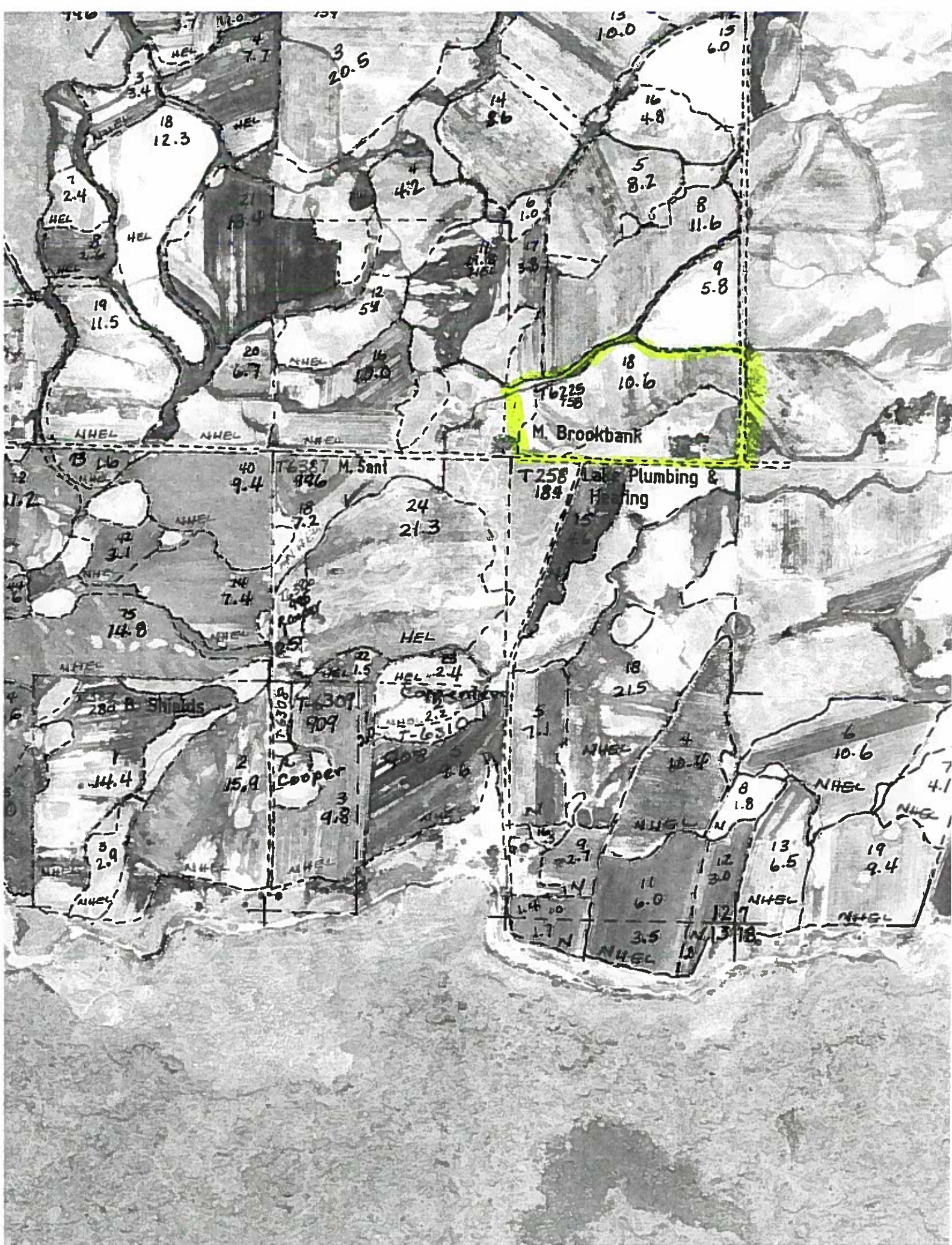
Thence South 88°12'49" East for a distance of 133.37 feet;

Thence North 80°18'02" East for a distance of 74.64 feet;

Thence North 56°59'38" East for a distance of 473.20 feet;

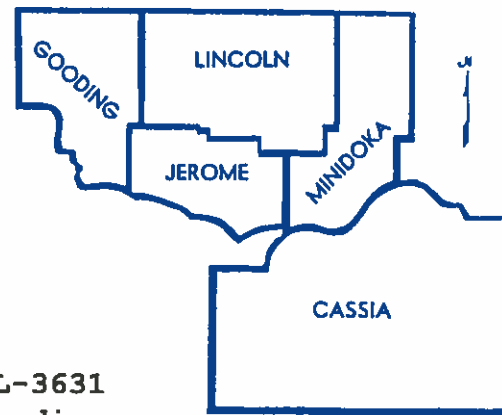
**Thence South 62°14'31" East for a distance of 224.86 feet to a point on the East
boundary of the NE¼ of Section 12;**

**Thence South 00°09'00" East along the East boundary of the NE¼ for a
distance of 337.00 feet to the East quarter corner of Section 12 and THE
TRUE POINT OF BEGINNING.**



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: GL-3631
OFFICE: Gooding

August 28, 2002

RECEIVED
AUG 29 2002
Department of Water Resources
Southern Region

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

RE: Notice of Change of Water Right Ownership
Brookbank to Keppner
Cert Mail #7001 1940 0000 0632 9543

Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
on Brookbank
for Water Right Number 37-10230
- Copy of Deed #173163 & #173164
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.


Lisa Ritter
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc:

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A37-10230

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 JEANIE M ROBERTSON

DATE CUSTOMER
May 4, 1995 3:55pm M H BROOKBANK

SUBJECT: RESPONSE TO FEDERAL NON-CONSUMPTIVE NOTICE
phone call (X) walk-in (.)

Has a small D&S well North of Shoshone and wondered how this might affect him. Told him I really couldn't say but he could contact the Attorney General's office in Boise. He decided to subscribe to the docket sheet so I sent him an order form and also a copy of the news release to help explain things better...

MICROFILMED
NOV 27 1996

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: **A37-10230**

Date Received: 6/22/1988

Receipt No: M000180

Received By: ownership change JC

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: M H BROOKBANK 208-886-2822
Address: 454 FOUR MILE RD
SHOSHONE ID 83352

AND/OR

Name: V J OUANO 208-886-2822
Address: 454 FOUR MILE RD
SHOSHONE ID 83352

2. Date of Priority: JAN 1, 1917

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	12	SE	SE	NE		LINCOLN

5. Description of diverting works:
WELL & PUMP, 230'X4', 1 HP

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:
0.110 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE, S/250 CATTLE

MICROFILMED
OCT 25 1974

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	16E	12	SE SE		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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

MAR 14 1994

Department of Water Resources
Southern Region Office

DATE OF CLOSING: November 1, 1993

LEGAL DESCRIPTION OF PROPERTY: Township 05S Range 16E
Section 12, SE 1/4 of SE 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: A 37-10230
- [] Name and Address of Former Owner/Claimant(s)(Seller): Elmer and Erma Peak
454 Four Mile Road
Shoshone, ID 83352
- [] New Owner/Claimant (Purchaser): M. H. Brookbank / V. J. Ouano
- [] New Mailing Address: 454 Four Mile Road
Shoshone, ID 83352
- [] New Telephone Number: (208) 882 - 2822
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) M. H. Brookbank / Virgin J. Ouano Date 3-1-94

[] Signature of Former Owner/Claimant(s) Erma E. Peak Date 3-12-94
3655 Barberberry Dr. Boise ID Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

Note: A new well to a depth of 300' was drilled I believe sometime in 92-93 following a failed attempt to extend the existing 230' well failed. M. Brookbank

FOR IDWR USE ONLY:

Initial Review and Data Entry

Date 3/18/94 By: [Signature]

Further Action Needed

Further Action Taken

Date: By:

Final Review and Data Entry

Date: 3/18/94 By: [Signature]

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
OCT 25 1994

Water Right Number - R37-10230

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BROOKBANK

M H

1 - 454 FOUR MILE RD

2 -

3 -

City- SHOSHONE

State- ID Zip- 83352

Phone - 208-886-2822

OUANO

V J

1 - 454 FOUR MILE RD

2 -

3 -

City- SHOSHONE

State- ID Zip- 83352

Phone - 208-886-2822

*** O - ORIGINAL OWNER ***
PEAK

ELMER

1 - 454 4 MI RD

2 -

3 -

City- SHOSHONE

State- ID Zip- 83352

Phone - 208-886-7756

PEAK

ERMA

1 - 454 4 MI RD

2 -

3 -

City- SHOSHONE

State- ID Zip- 83352

Phone - 208-886-7756

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1917 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
05S 16E 12 SE SE NE (63) LINCOLN+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.070+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.110 0.0+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
05S 16E 12 SE SE 04 STOCKWATER (63) LINCOLN
05S 16E 12 SE SE 43 DOMESTIC (63) LINCOLNMICROFILMED
OCT 25 1994

Water right number - R37-10230

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
----	-----	-----	-------	-----	-------	-------------------	-------------	--------

Total Acres:

+ - - Diversion Means - WELL & PUMP, 230'X4', 1 HP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME; STOCKWATER, 250 CATTLE

+ - - Other Rights for Same Use - NONE

Parcel No.	Remarks
RP05S16E122000A	

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

Comments
Date: 03/18/1994 User Id: ROBERTSO Subject: OWNERSHIP CHANGE

Form received 3/14/94, original owners Elmer & Erma Peak - new owners M H Brookbank & V J Ouano. Form signed by original owner and signature verified. A37-10230 also changed.

Audit Fields
03/18/94 ROBERTSO

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	- 06/22/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M000180	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 25 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Mar-1994

M H BROOKBANK
V J OUANO
454 FOUR MILE RD
SHOSHONE ID 83352

Re: Ownership Change for Adjudication Claim #A37-10230
PEAK/BROOKBANK-OUANO

Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claims noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

MICROFILMED
OCT 25 1994

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: A37-10230
Date Received: 6/22/1988
Receipt No: M000180
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELMER PEAK 208-886-7756
Address: 454 4 MI RD
SHOSHONE, ID 83352

AND/OR
Name: ERMA PEAK 208-886-7756
Address: 454 4 MI RD
SHOSHONE, ID 83352

2. Date of Priority: JAN 01, 1917

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	12	SE	SE	NE		LINCOLN

5. Description of diverting works:
WELL & PUMP, 230'X4', 1 HP

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:
0.110 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE, S/250 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	16E	12	SE	SE		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
Water Right Number:

(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.

For Individuals:

Signature of Claimant(s): Erma E. Peak Date: 6-22-88
Date:

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of June 19 88 Lois White
Notary Public

Residing at Twin Falls
My Commission Expires 5/95

MICROFILMED
FEB 24 1993

WATER RIGHT NUMBER - A37-10230

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
PEAK

ELMER

1 - 454 4 MI RD

2 -

3 -

CITY- SHOSHONE

STATE- ID ZIP- 83352

PHONE - 208-886-7756

1 - 454 4 MI RD

2 -

3 -

CITY- SHOSHONE

STATE- ID ZIP- 83352

PHONE - 208-886-7756

PEAK

ERMA

+ - - PRIORITY DATE - - +
01/01/1917

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

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

+ - - - STATUS - - - - +

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

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

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

05S 16E 12 SE SE NE (63) LINCOLN

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

43 - DOMESTIC

01/01

12/31

0.040

04 - STOCKWATER

01/01

12/31

0.070

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.110 0.0

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

05S

16E

12

SESE

SE SE

04

STOCKWATER

(63) LINCOLN

05S

16E

12

SE SE

43

DOMESTIC

(63) LINCOLN

+ - - DIVERSION MEANS - WELL & PUMP, 230'X4', 1 HP

+ - - NON-IRRIGATION USE - D/ 1 HOUSE, S/250 CATTLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

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

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

MICROFILM
OCT 25 1994

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OCT 25 1994

AJ5808VP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/28/91 05:20:51
PAGE 2

WATER RIGHT NUMBER - A37-10230

PREFIX TRANSLATION: ADJUDICATION CLAIM

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

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

+ - - AUDIT FIELDS - 06/22/38 MOBILE4 09/26/89 REFUNDML

+-----COMMENTS-----+
NO COMMENTS FOUND[illegible]

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	- 06/22/1988	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	- M000180	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

POSSIBLE 12 2000 A

DATA ENTRY
ENTERED 11-3-93 AS
CHECKED 2/6/94 DWD

"Verified By"
 Topo Map/U-Tho-PQ
 ASCP Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

VERIFIED
FEB 11 1992

CERTIFIED
MAR 22 1992
WATER EXAMINER