

PRICE - pl: 543-5694



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

37-059I

37-177D

37-2242

37-10665

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 7, 2000

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

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

Dear Pete and Sandra,

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

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

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

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

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

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

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

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Adjudication Bureau

A37 - 0059I = 39576 on WD

A37 - 001770 = 39356 on WD

A37 - 02242 = GW Right

A37 - 10665 = D&S

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: A37-10665
Date Received: 7/20/1988
Receipt No: S001020
Received By: dt o/c

~~COPY FOR~~
~~YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR~~
~~YOUR FILES~~

1. Name: OFER INBAR
Address: 404 E US HWY 26
SHOSHONE ID

83352

2. Date of Priority: APR 1, 1883

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.030		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/2 HOUSES, S/50 RANGE CATTLE, 10 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	18E	13	NE	SW		DOMEST	
			NW	SW		STOCK	

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:

02/09/99, OWNERSHIP CHANGE PER FORM 42-248/42-1409(6) RECEIVED
09/24/98. CT

15. Basis of Claim: BENEFICIAL USE



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 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

OFER INBAR
404 E US HWY 26
SHOSHONE ID 83352

RE: SRBA Claim(s) A37-10665

Dear Claimant:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership of the above referenced claim to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. 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 'Cheryl Timm', is written over the typed name.

Cheryl Timm
Clerical Specialist, SRBA

Enc.: Claim to a Water Right A37-10665

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**

1. Water Right Number(s) AJ5809NP Department of Water Resources
Adjudication Claim Number(s) A37-000591 and A37-10665 Southern Region

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 () _____

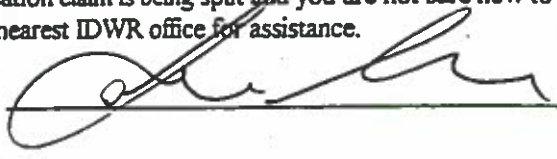
5. Date you acquired the property August 10, 1998

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.

date entered 2/9/99. ct



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.

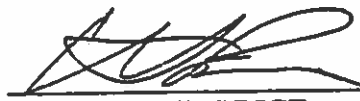
Together with 11.7" of deliverable water right from Big Cottonwood Creek with a May 27, 1899 priority date and together with the ground water rights for domestic, stock water and irrigation from the well located on the property as evidenced by that portion of Claim No. 39356, I.D.W.R. water right No.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

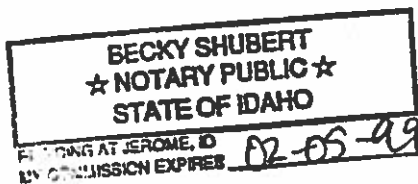
165384

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> <i>By hand.</i>

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

On this 7th 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

R18E

Price

6
H.1

14	13
23	24

5
7.4
8.5

← TO SHOSHONE

HWY 93

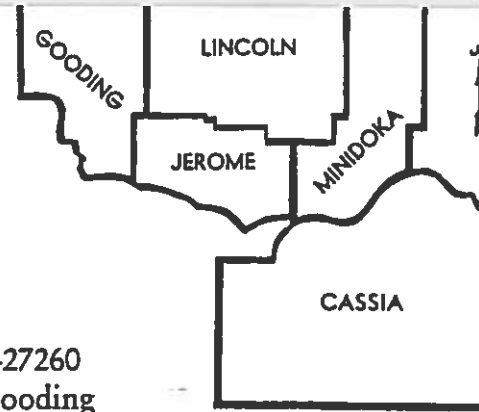
TO RICH

13	18
24	19

OFF ROAD

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: L-27260
OFFICE: Gooding

September 23, 1998

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

RECEIVED

SEP 24 1998

Department of Water Resources
Southern Region

Re: Water Transfer
PRICE/INBAR

Dear :

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

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

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

Very truly yours,

LAND TITLE AND ESCROW, INC.

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

Shelley Fredrickson
Escrow Department

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8981

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0808 - FAX 438-1199

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-359

RIGHT NUMBER: 37-10665

NAME & ADDRESS: VARNELL PRICE
SANDRA PRICE
PO BOX 78
SHOSHONE ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS

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

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION: T05S R18E S13 NWNESE Within LINCOLN County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC 2 HOMES	01-01 12-31	0.08 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
T05S R18E S13 NWSW

DOMESTIC Within LINCOLN County
T05S R18E S13 NESW

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. RP05S18E134800
STOCKWATER, 50 RANGE CATTLE, 10 HORSES

D 7-29-98

Claim proofread by: Uto

Date: 1/03

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 A37-00059I, 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: A37-10665
Date Received: 7/20/1988
Receipt No: S001020
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

AND/OR

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

2. Date of Priority: APR 01, 1883

3. Source: GROUNDWATER Trib. to:

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:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOUSES, S/50 RANGE CATTLE, 10 HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	18E	13	NE NW	SW SW	DOMEST STOCK	

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 _____

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

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

RECEIVED

JUL 12 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) VARNELL H. PRICE and SANDRA D. PRICE Phone (208) 487-2173Mailing Address P.O. Box 78, SHOSHONE, Idaho Zip 833522. Date of Priority (Only one (1) per claim) April 1, 18833. Source of water supply (a) ground water
which is tributary to (b) _____4. Location of point of diversion is: Township 5 SOUTH Range 18, EAST of Boise Meridi.
LINCOLN County, Idaho
Section 13, NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____, B.M.,
County of LINCOLN See Attached Map

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Well - 348 ft deep. Deepened 1968
1 1/2 #P Submersible Pump. Pipelines To Houses, Livestock
AREAS AND GARDENS

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive) (cfs)
For DOMESTIC purposes from JAN. 1 to DEC. 31 amount 0.08For STOCKWATER purposes from JAN. 1 to DEC 31 amount 0.037. Total quantity claimed 0.11 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: type and number of livestock) TWO Households, 50 Head Range Cattle, 10 Head Horses

MICROFILMED

FEB 25 1993

Copies: White-State, Yellow-Claimant

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
55	18	13									D+S	S						

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.
_____ or None (X)

14. Remarks: _____

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

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 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) [Signature] Date 7/11/88
Sandra D. Price Date 7/11/88

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 Idaho)
County of Lincoln) SS.

Subscribed and sworn (or affirmed) before me this 11th day of July 19 88

Notary Public Kathryn E. Johnson

Residing at Richfield Idaho 83349

My Commission Expires 5-13-90

Last Name PRICE Ident No. _____

MICROFILMED
Copies White State, Yellow Claimant
FEB 25 1993

V. H & SANDRA PRICE
P.O. BOX 78 SHOSHONE ID 83252
SUPPORT DOC.



MICROFILMED
FEB 25 1993

WATER RIGHT NUMBER - A37-10665

PREFIX TRANSLATION: ADJUDICATION CLAIM

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

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

+ - - AUDIT FIELDS - 07/20/88 WHITE 09/26/89 REFUNDML

+ - - - - 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	- 07/20/1988	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	- S001020	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	-

RP05518E134800

DATA ENTRY

ENTERED

CHECKED

12-21-93 PS
4-5-94

"Verified By"
Topo Map/C&G-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 14 1992

PROOF
JAN 06 1992

CERTIFIED
MAR 24 1992
WATER EXAMINER