

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-11027

WATER RIGHT NUMBER: 37-11027

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK A BORNEMAN AND DOROTHY E BORNEMAN FAMILY PARTNERSHIP 2242 E 1700 S GOODING, ID 83330 (208)934-5098
Directors Report Owner	DOROTHY BORNEMAN 2242 E 1700 S GOODING, ID 83330
Original Owner	RUSSELL CZAPLICKI 2190E 1700 S GOODING, ID 83330 (208)934-5196

Priority Date: 06/15/1930

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
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	0.090 CFS	
<u>Total Diversion:</u>		0.090 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 27, Twp 05S, Rge 15E, B.M.
GOODING County		

Place of UseDOMESTIC Within GOODING County

T05S R15E S27 SESE

STOCKWATER Within GOODING County

T05S R15E S27 SESE

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. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-11027

3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory STOCKWATER 800 RANGE CATTLE PARCEL NO. RP 05S15E277200

Dates and Other Information:

Licensed Date:
Decreed Date: 1/5/2001
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:
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

February 5, 2003

DOROTHY BORNEMAN
FRANK BORNEMAN
2242 E 1700 S
GOODING ID 83330

Re: SRBA Claim 37-609E
Water Rights 37-10784, 37-11027, 37-11100

Dear Mr. and Mrs. Borneman:

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 records 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,

Trish Fawcett
Technical Records Specialist

Enclosures.
cc: Russell Kvanvig

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
 FEB 03 2003
 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
37-11027	D/S	Feedue 25 ⁰⁰			
37-11100	D/S	Feedue 25 ⁰⁰			
37-609E	un	No feedue			
		tot \$50 ⁰⁰			

Partnership

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**.

3. Name and Address of Former Owner/Claimant(s) Dorothy Borneman
2242 E. 1700S. GOODING, ID. 83330
4. New Owner/Claimant(s) Frank A. Borneman and Dorothy E. Borneman
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or Family Partnership
- New Mailing Address 2242 E. 1700S.
- City, State and ZIP Code GOODING, ID. 83330
- New Telephone Number 208 934-5098
5. Date you acquired the property 8-19-02

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) _____
(include title if applicable) Marathy Dorman
General Partner

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 <u>[Signature]</u>	Date <u>2/4/03</u>	Fee <u>50.00</u>	
Received by <u>[Signature]</u>	Date <u>2/4/03</u>	Receipt No. <u>5025487</u>	
Processed by <u>[Signature]</u> AJ	Date <u>2/4/03</u>	WR _____	Date _____

Instrument # 196618

GOODING, GOODING, IDAHO

2002-08-26

09:23:59 No. of Pages: 4

Recorded for : STEPHAN, KVANVIG, STONE & TRAINO

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 12.00

[Signature]

COPY

QUITCLAIM DEED

FRANK A. BORNEMAN and DOROTHY E. BORNEMAN, husband and wife, and FRANK A. BORNEMAN and DOROTHY E. BORNEMAN as Trustees of The Frank and Dorothy Borneman Trust dated the 22nd day of November, 1993, hereinafter "Grantors," do release and forever quitclaim unto FRANK A. BORNEMAN AND DOROTHY E. BORNEMAN FAMILY PARTNERSHIP, whose address is 2242 East 1700 South, Gooding, Idaho 83330, hereinafter "Grantee," and to its heirs and assigns, all right, title and interest which Grantors now have or may hereafter acquire in the following:

Any and all water rights appurtenant to the real property described on Exhibit "A" attached hereto and by this reference made a part hereof, including, but not limited to, 389 shares of stock of the Big Wood Canal Company, 28 shares of stock in the American Falls Reservoir District #2, and State of Idaho Department of Water Resources Water Right Nos. 37-11027, 37-11100 and 37-609E.

TO HAVE AND TO HOLD, all singular the said premises, together with the appurtenances, unto Grantee, and to its heirs and assigns forever.

WITNESS the hand of said Grantor this 19 day of August, 2002.

Frank A. Borneman
FRANK A. BORNEMAN

by Dorothy E. Borneman P.O.A.
Dorothy E. Borneman
DOROTHY E. BORNEMAN

THE FRANK AND DOROTHY BORNEMAN TRUST
DATED THE 22ND DAY OF NOVEMBER, 1993

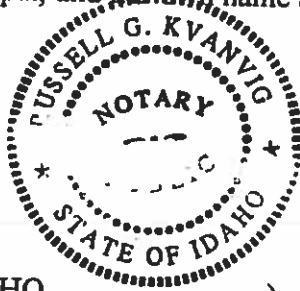
By Frank A. Borneman
FRANK A. BORNEMAN, Trustee

by Dorothy E. Borneman P.O.A.
By Dorothy E. Borneman
DOROTHY E. BORNEMAN, Trustee

STATE OF IDAHO

COUNTY OF GOODING

On this 19th day of August, 2002, before me, the undersigned, a Notary Public for Idaho, personally appeared DOROTHY E. BORNEMAN, known or identified to me to be the person whose name is subscribed to the foregoing instrument, as the Attorney-in-Fact of FRANK A. BORNEMAN, and acknowledged to me that she subscribed the name of FRANK A. BORNEMAN thereto as principal, and her own name as Attorney-in-Fact.



Russell Kravitz
Notary Public for Idaho

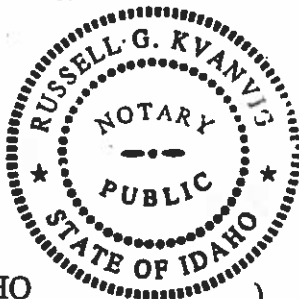
Notary Public for Idaho

My Commission Expires on 8-12-05

STATE OF IDAHO

COUNTY OF GOODING

On this 19th day of August, 2002, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared DOROTHY E. BORNEMAN, 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.



Russell Kravitz
Notary Public for Idaho

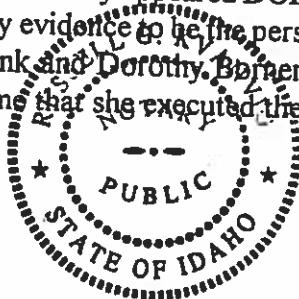
Notary Public for Idaho

My Commission Expires on 8-12-05

STATE OF IDAHO

COUNTY OF GOODING

On this 19 day of August, 2002, before me the undersigned, a Notary Public for Idaho, personally appeared DOROTHY E. BORNEMAN, known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, as trustee of The Frank and Dorothy Borneman Trust dated the 22nd day of November, 1993, and acknowledged to me that she executed the same as such trustees.



Russell Kravitz
Notary Public for Idaho

Notary Public for Idaho

My Commission Expires on 8-12-05

EXHIBIT A

PARCEL NO. 1

Township 5 South, Range 15, East of the Boise Meridian, Gooding County, Idaho

Section 27: E $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPT a tract of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the Southwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence East 480 Feet;
Thence North 480 feet;
Thence West 480 feet;
Thence South 480 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2

Township 5 South, Range 15, East of the Boise Meridian, Gooding County, Idaho

Section 27: NW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 3

Township 5 South, Range 15, East of the Boise Meridian, Gooding County, Idaho

Section 26: SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 27: SE $\frac{1}{4}$ NE $\frac{1}{4}$

TOGETHER will all hereditaments and appurtenances thereunto belonging, including, but not limited to, water right for 28 acres in American Falls Reservoir District No. 2.

PARCEL NO. 4

Township 5 South, Range 15, East of the Boise Meridian, Gooding County, Idaho

Section 26: NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 35: That part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying North of the Oregon Short Line Railroad right of way

Together with 122 shares of stock of the Big Wood Canal Company and together with all B.L.M. grazing rights and privileges appurtenant thereto.

PARCEL NO. 5

Township 6 South, Range 15, East of the Boise Meridian, Gooding County, Idaho

Section 4: Lot 2, EXCEPTING THEREFROM the following described parcel of land:

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: A37-11027
Date Received: 8/18/1988
Receipt No: S001532
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

(Owner Change)

1. Name: DOROTHY BORNEMAN
Address: 2242 E 1700 S
GOODING ID 83330

2. Date of Priority: JUN 15, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	27	SE	SE	SE		GOODING

5. Description of diverting works:
6"X 205' WELL WITH 3 HP SUBM 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	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOM/ 1 HOME, S/800 RGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	15E	27	SE	SE		DOMEST	
			SE	SE		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

CHANGES OF OWNERS - CZAPLICKI TO DAMIAN LTD, 4/3/90;
_(SEE ATTACHED _____ DAMIAN LTD TO H. GARMS, 5/7/90;
_____ W. DEEDS) _____ H. GARMS TO D. BORNEMAN, 6/12/92. RVW, 6/16/92

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 _____

MICROFILMED
FEB 25 1993

AJ0749NP
No. R37-11027

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/28/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOROTHY BORNEMAN 2242 E 1700 S GOODING ID 83330	06/15/1930	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.09 CFS 0.04 CFS	
TOTAL DIVERSION:					0.09 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R15E S27

SESESE

GOODING County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	15E	27	:																

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	15E	27	:																

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

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

Remarks: EX STOCKWATER 800 RANGE CATTLE
PARCEL NO. RP 05S15E277200

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

OK
2-8-99
KKE

AJ0749NP
No. R37-11027

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/28/98
PAGE: 2

=====

Comments: Date: 07/28/1998 User-ID: SEGBERT Subject: COPIED FROM REMARKS
CHANGES OF OWNERS - CZAPLICKI TO DAMIAN LTD, 4/3/90;
_(SEE ATTACHED _____ DAMIAN LTD TO H. GARMS, 5/7/90;
_____ W. DEEDS) _____ H. GARMS TO D. BORNEMAN, 6/12/92. RVW, 6/16/92

Audit: 07/28/98 SEGBERT

AJ5856NP

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

DATE: SEP-5-1997

PAGE: A-53

RIGHT NUMBER: 37-11027

NAME & ADDRESS: DOROTHY BORNEMAN
2242 E 1700 S
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

PRIORITY DATE: 06/15/1930

POINT OF DIVERSION: T05S R15E S27 SESESE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.09 CFS
	DOMESTIC DOM/ 1 HOME, S/800 RGE.	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T05S R15E S27 SESE

DOMESTIC Within GOODING County
T05S R15E S27 SESE

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

CHANGES OF OWNERS - CZAPLICKI TO DAMIAN LTD, 4/3/90;
_(SEE ATTACHED DAMIAN LTD TO H. GARMS, 5/7/90;
W. DEEDS) H. GARMS TO D. BORNEMAN, 6/12/92. RVW, 6/16/92

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 05S 15E 27 7200

Verified by AC Date: 7-14-98

Verification Source: Computer

RECEIVED

JUN 15 1992

Department of Water Resources
Southern Region Office

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 6-11-1992

LEGAL DESCRIPTION OF PROPERTY: Township 5S Range 15E BM
Section 27, E1/4 SE, SW 1/4 of SE, NW 1/4 of SE 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: A37-11027
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Russell A. Czaplicki
Gooding, Idaho 83330
- ☐ New Owner/Claimant (Purchaser): Dorothy Borneman
- ☐ New Mailing Address: 2242 E 1700 S
Gooding, Idaho 83330
- ☐ New Telephone Number: () _____ - _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes^{XX} 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: Copies of recorded Warranty Deeds

(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): Dorothy Borneman Date 6-11-1992
Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
Date _____

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

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: _____

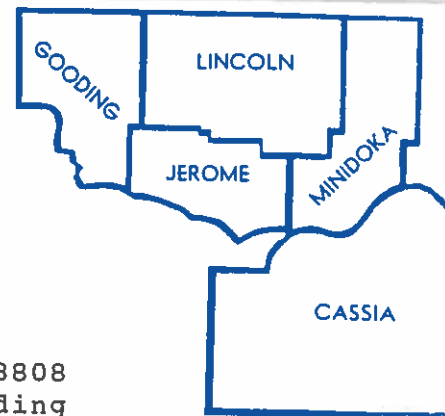
Claim Numbers of Split, if any:

MICROFILMED

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

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-18808
OFFICE: Gooding

June 12, 1992

Mr. Bob Worstell
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

JUN 15 1992

Department of Water Resources
Southern Region Office

Re: RE Sale - Garms to Borneman

Dear Bob:

In connection with the above referenced sale, please find enclosed the following:

1. Notice of Change of Water Right Ownership
2. Copies of recorded Warranty Deeds
Czaplicki to Damian, LTD
Damian LTD to Earms
Garms to Borneman

Please transfer water rights to Dorothy Borneman and provide this office with a copy.

Thank you for your assistance.

Sincerely,

LAND TITLE AND ESCROW, INC.

Janet
Janet Gorrell
Manager-Gooding

Enclosures

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

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 25 1993

WARRANTY DEED

COPY

For Value Received

RUSSELL A. CZAPLICKI and ROSE A. CZAPLICKI, husband and wife

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

DAMIAN LTD., a California Corporation
whose address is: 31253 Palomares Road, Castro Valley, CA 94546Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho,
to-wit:SEE ATTACHED - EXHIBIT "A"
(containing two pages)

RECEIVED

JUN 15 1992

Department of Water Resources
Southern Region Office

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: March 23, 1990

Russell A. Czaplicki
Russell A. Czaplicki

Rose A. Czaplicki
Rose A. Czaplicki

STATE OF IDAHO COUNTY OF GOODING

On this 3rd day of April, 1990,
before me, a notary public in and for said State, personally appeared

Russell A. Czaplicki and Rose A. Czaplicki

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Janet A. Correll
Notary Public

Residing at Gooding

Idaho.

140871

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of *Land Title & Escrow, Inc.*

10 min. past 3 o'clock P. M. this 3
of April, 1990.

JOHN A. MYERS, Recorder

By _____ Deputy

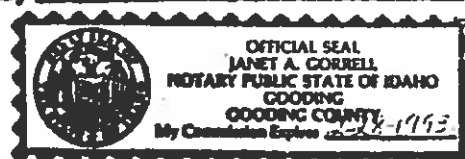


EXHIBIT "A"

PARCEL NO. 1

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: E½SE½; SW½SE½ EXCEPT a tract of land in the SW½SE½ described as follows:

Beginning at the Southwest corner of said SW½SE½;
Thence East 480 feet;
Thence North 480 feet;
Thence West 480 feet;
Thence South 480 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: NW½SE½;

TOGETHER WITH all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to 115 shares of capital stock of the Big Wood Canal Company, and water and ditch rights under the American Falls Reservoir District No. 2.

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 powers of said Company as by law provided.

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

Provisions contained in Contract by and between Henry A. Cleveland and Hattie C. Cleveland, husband and wife, and Ralph Hafer and Nina Hafer, husband and wife, dated February 14, 1917, recorded Book 1 Agreements, Page 583, Gooding County records, providing for the maintenance and upkeep of a community well. (Parcel No. 1)

Easement given by Clara M. Thoma to The American Telephone and Telegraph Company of Wyoming, dated June 12, 1941, recorded November 6, 1941 in Book 4 Misc. Page 549, as Instrument Number 81838, Gooding County records, affecting a portion of Section 27, Township 5 South, Range 15, East Boise Meridian. (Parcel No. 1)

Easement given by Earl Thoma and Mollie E. Thoma to The American Telephone and Telegraph Company of Wyoming, dated June 23, 1941, recorded November 6, 1941 in Book 4 Misc. Page 550, as Instrument Number 81839, Gooding County records, affecting a portion of Section 27, Township 5 South, Range 15, East Boise Meridian. (Parcel No. 1)

Easement given by Roy C. Thoma and Florence M. Thoma to The American Telephone and Telegraph Company of Wyoming, dated June 28, 1941, recorded November 6, 1941 in Book 4 Misc. Page 551, as Instrument Number 81840, Gooding County records, affecting a portion of Section 27, Township 5 South, Range 15, East Boise Meridian. (Parcel No. 1)

Easement given by Mrs. Loraine Beck to The American Telephone and Telegraph Company of Wyoming, dated July 29, 1941, recorded November 6, 1941 in Book 4 Misc. Page 552 as Instrument Number 81841, Gooding County records, affecting a portion of Section 27, Township 5 South, Range 15, East Boise Meridian. (Parcel No. 1)

Power Line Easement given by L. B. Woodbury and Lydia Woodbury, husband and wife, to Idaho Power Company, dated March 28, 1966, recorded November 1, 1966 as Instrument Number 19781, Gooding County records, affecting a portion of Section 27, Township 5 South, Range 15, East Boise Meridian. (Parcel No. 1)

Subject to the reservations contained in United States Patent to Russell A. Czaplicki, dated June 13, 1988, recorded March 23, 1990 as Instrument Number 140247, Gooding County records. (Parcel No. 2)

DEED

COPY

FOR VALUE RECEIVED, DAMIAN, LTD., a California Corporation

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto HERBERT A. GARMS, JR., a married man dealing in his sole and separate property, whose address is: 5960 Inglewood Drive, Pleasanton, CA 94566

SEE ATTACHED EXHIBIT "A"
(containing two pages)

RECEIVED

JUN 15 1992

Department of Water Resources
Southern Region Office

140834

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of Land Title and Escrow, Inc

20 min. past 1 o'clock P M. this 7
of May, 1990. Fee \$9.00

JOHN A. MYERS, Recorder

By Helen K. Pratt

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their heirs and assigns 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 President and its corporate seal to be affixed by its Secretary this 13 day of April, 1990.

DAMIAN LTD., a California corporation

By

PRESIDENT

ATTEST:

SECRETARY

California

STATE OF IDAHO

County of ALAMEDA, ss.

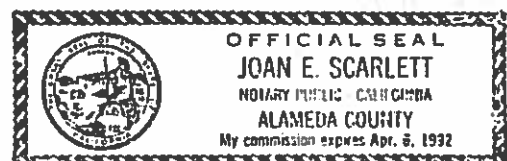
On this 13th day of April, 1990
before me, a Notary public in and for said State, personally
appeared ANTHONY B. VARNI and

, known to me to
be the President and ~~Secretary~~ of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.

Joan E. Scarlett
Notary Public

Residing at CASTRO VALLEY, California

My Commission Expires: 4-6-92

PARCEL NO. 1

JUN 15 1992

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHODepartment of Water Resources
Southern Region Office

Section 27: E½SE½; SW½SE½ EXCEPT a tract of land in the SW½SE½ described as follows:

Beginning at the Southwest corner of said SW½SE½;
Thence East 480 feet;
Thence North 480 feet;
Thence West 480 feet;
Thence South 480 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: NW½SE½;

TOGETHER WITH all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to 115 shares of capital stock of the Big Wood Canal Company, and water and ditch rights under the American Falls Reservoir District No. 2.

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.

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

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Subject to the reservations contained in United States Patent to Russell A. Czaplicki, dated June 13, 1988, recorded March 23, 1990 as Instrument Number 140247, Gooding County records. (Parcel No. 2)

WARRANTY DEED

COPY

For Value Received HERBERT A. GARMS, JR., an unmarried man
dealing in his sole and separate property

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

DOROTHY BORNEMAN, a married person

whose address is: 2242 East 1700 South, Gooding, ID 83330

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

SEE ATTACHED EXHIBIT "A"
(containing 2 pages)

RECEIVED

JUN 15 1992

Department of Water Resources
Southern Region Office

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: June 11, 1992

Herbert A. Garms, Jr.
Herbert A. Garms, Jr.

149049

STATE OF IDAHO, COUNTY OF GOODING

On this 11th day of June, 1992,
before me, a notary public in and for said State, personally appeared

Herbert A. Garms, Jr.

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

Janet A. Gorrell
Notary Public

Residing at Gooding, Idaho.
Commission expires: 2-28-1993

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of *Land Title & Escrow Inc.*

34 min. past 10 o'clock A m. this 12

of June, 1992 per B.O.

JOHN A. MYERS Recorder

By *Arbutha Setis* Deputy

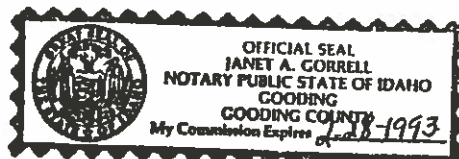


EXHIBIT "A"

PARCEL NO. 1

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: E $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPT a tract of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
described as follows:

Beginning at the Southwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence East 480 feet;
Thence North 480 feet;
Thence West 480 feet;
Thence South 480 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: NW $\frac{1}{4}$ SE $\frac{1}{4}$;

TOGETHER WITH ALL WATER AND WATER RIGHTS, DITCHES
AND DITCH RIGHTS USED THEREON OR APPURTENANT THERE-
TO INCLUDING BUT NOT LIMITED TO 115 SHARES OF BIG
WOOD CANAL COMPANY WATER STOCK.

SUBJECT TO THE FOLLOWING:

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

Taxes for 1992 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.

Provisions contained in Contract by and between Henry A.
Cleveland and Hattie C. Cleveland, husband and wife, and Ralph
Hafer and Nina Hafer, husband and wife, dated February 14, 1917,
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tion of Section 27, Township 5 South, Range 15, East Boise
Meridian. (Parcel No. 1)

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Telegraph Company of Wyoming, dated July 29, 1941, recorded
November 6, 1941 in Book 4 Misc. Page 552 as Instrument Number
81841, Gooding County records, affecting a portion of Section 27,

Township 5 South, Range 15, East Boise Meridian. (Parcel No. 1)

Agreement for Easement by and between Milton L. Jensen and Minnie J. Jensen, husband and wife, and LeGrande B. Woodbury and Lydia Woodbury, husband and wife, parties of the first part and David E. Lake and Ida M. Lake, husband and wife, parties of the second part, dated April 15, 1958, recorded August 8, 1958 in Book 6 Page 322 as Instrument Number 135444, Gooding County records, granting and setting forth a perpetual easement and right of way for the purpose of constructing and maintaining an irrigation ditch to convey water to tract excepted from above description, parties of the first part shall have the right to use ditch for waste water and take same therefrom; second parties to have right of ingress and egress for the use and maintenance of said ditch. (Parcel No. 1)

Power Line Easement given by L. B. Woodbury and Lydia Woodbury, husband and wife, to Idaho Power Company, dated March 28, 1966, recorded November 1, 1966 as Instrument Number 19781, Gooding County records, affecting a portion of Section 27, Township 5 South, Range 15, East Boise Meridian. (Parcel No. 1)

Reservations contained in United States Patent to Russell A. Czaplicki, dated June 13, 1988, recorded March 23, 1990 as Instrument Number 140247, Gooding County records. (Parcel No. 2)

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: A37-11027
Date Received: 8/18/1988
Receipt No: 5006532
Received By: TB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUSSELL CZAPLICKI
Address: 2190E. 1700 S.
GOODING, ID

208-934-5196

83330

2. Date of Priority: JUN 15, 1930

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	27	SE	SE	SE		GOODING

5. Description of diverting works:
6"X 205' WELL WITH 3 HP SUBM 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	0.090		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
DOM/ 1 HOME, S/800 RGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	15E	27	SE	SE		DOMEST	
			SE	SE		STOCK	

A37-11027

Page 1

Date: 08/18/88

MICROFILMED
FEB 25 1993

11. Place of use in counties: GOODING

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): Shirley A. English Date: 8/18/88

Date: _____

State of Idaho

County of Twin Falls)
SS.

Subscribed and sworn (or affirmed) before me this 18th day

of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94