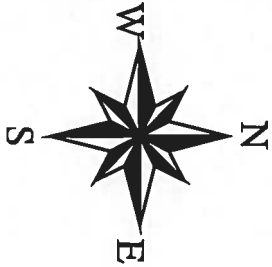


37-72A

**T05S R14E
S25 & S26**



Map prepared by: Carter Fritschle
Date prepared: 03/10/03
1987-1988 NAPP photography
Idaho Department of Water Resources

03/10/2003

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

RIGHT NUMBER: 37-72A

NAME AND ADDRESS: CARL H RIXON
PO BOX 462
SUN VALLEY ID 83353-0462

KARIN RIXON
PO BOX 462
SUN VALLEY ID 83353-0462

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.440 CFS

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION:

T05S R14E S25 SENWSW Within GOODING County Source: BIG WOOD RIVER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.440 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within GOODING County

T05S R14E S25 NWSW 7.0 T05S R14E S26 NESE 12.0

19 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.

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: **A37-00072A**
Date Received: 12/26/1989
Receipt No: S010755
Received By: _____

AMENDED

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

AMENDED

1. Name: CARL H RIXON 208-726-3933
Address: PO BOX 462
SUN VALLEY ID 83353-0462

AND/OR

Name: KARIN RIXON 208-726-3933
Address: PO BOX 462
SUN VALLEY ID 83353-0462

2. Date of Priority: APR 1, 1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	14E	25	SE	NW	SW		GOODING

5. Description of diverting works:
PUMP IN RIVER TO GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.440		

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

8. Total consumptive use is 47.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	14E	25	NW	SW		IRR	7.0
						Section Acres	7.0
		26	NE	SE		IRR	12.0
						Section Acres	12.0
						Total Acres	19.0

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:

16.4 SHARES, MILNER-GOODING CANAL COMPANY

14. Remarks:

PURSUANT TO APPROVAL OF TRANSFER 4020:

THE CHANGE AUTHORIZED BY TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF APPROVAL.

FAILURE TO COMPLY WITH THE CONDITIONS OF THE TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

APPROVAL OF THE TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

USE OF THE WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.

A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date: / /

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

ALTURAS WATER COMPANY, ET. AL.
vs Decree Defendant

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OCT 28 1994

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 _____

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OCT 24 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

05-May-1993 08:29

Carl & Karin Rixon
PO Box 462
Sun Valley, ID 83353-0462

RE: Amendment of SRBA Claim A37-00072A

Dear Mr. & Mrs. Rixon:

Pursuant to the approval of Transfer No. 4020 your above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfer. Please find enclosed a printout of the way the claim record has been modified. Please look the modified record over carefully to be sure it correctly reflects your intended change. If you have questions please feel free to contact this office.

Sincerely

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Right Supervisor

Encl:

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OCT 24 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
WATER RIGHT NO. 37-00072A

Trans. #4020

RECEIVED

MAR 31 1993

Department of Water Resources
Southern Region Office

This is to certify that: **CARL H RIXEN**
KARIN RIXEN
PO BOX 462
SUN VALLEY ID 83353-0462

has requested a change to the above captioned water rights. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 - 10/31	0.44 CFS	
	Total	0.44 CFS	

Priority: 04/01/1885

Source: BIG WOOD RIVER Tributary to: MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

SENWSW, Section 25, Township 05S, Range 14E, GOODING County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES
05S	14E	25	NWSW 7.0
05S	14E	26	NESE 12.0

Total number of acres irrigated: 19.0

Adj.

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OCT 24 1994

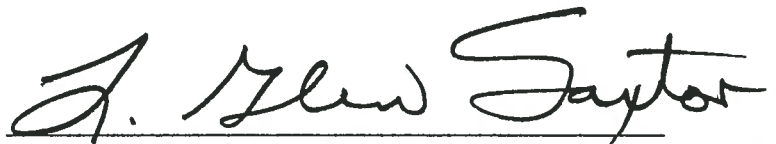
TRANSFER OF WATER RIGHT
WATER RIGHT NO. 37-00072A

Trans. #4020

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dated this 16th day of March, 1993.



Chief, Water Allocation Bureau

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OCT 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
WATER RIGHT NO. 37-00072A

Trans. #4020

This is to certify that: **CARL H RIXEN**
KARIN RIXEN
PO BOX 462
SUN VALLEY ID 83353-0462

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IRRIGATION	04/01 - 10/31	0.44 CFS	
	Total	0.44 CFS	

Priority: 04/01/1885

Source: BIG WOOD RIVER Tributary to: MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

SENWSW, Section 25, Township 05S, Range 14E, GOODING County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES
05S	14E	25	NWSW 7.0
05S	14E	26	NESE 12.0

Total number of acres irrigated: 19.0

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OCT 24 1994

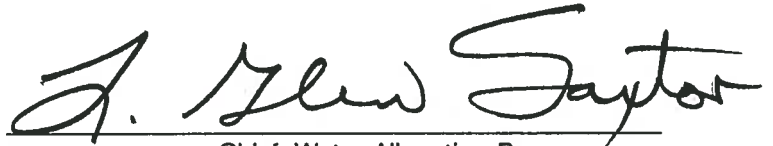
TRANSFER OF WATER RIGHT
WATER RIGHT NO. 37-00072A

Trans. #4020

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dated this 16th day of March, 1993.


Chief, Water Allocation Bureau

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OCT 24 1994

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4020APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Carl H. & Karin Rixon Phone 726-3933
Post Office address P.O. Box 462, Sun Valley, ID 83353

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes We are the last user in The Jones Ditch. Our small right no longer reaches the property. Use of the ditch is no longer practical, so we want to put a pump in the river on our property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-00072 Part</u>	<u>4-1-1885</u>	<u>0.44 cfs</u>	<u>Irrig.</u>	<u>4-1</u> to <u>10-31</u>
<u>A37-00072A</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u> to <u>"</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.44 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Big Wood River tributary to Majad River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NW	SW	25	5S	14E	Gooding	

5. Lands irrigated or place of use: No Change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	14E	25									7								7
		26													12				12

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Total acres 19

PART 1

6. General Information:

- a. Description of diversion system One or two pumps in Big Wood River, sprinkler or gravity irrigation
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes N/A No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change in place of use.
- d. Remarks:
P/U was claimed incorrectly is SRRA. Only the land between the ditch & Big Wood R. is actually irrigated, although we own about 50 acres.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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OCT 24 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00072 Decreed to D. B. Bliss
 in case of S.C. Frost ET AL. vs. Alturas Water Company ET AL.
 dated 12-13-1909 in Fourth District county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Big Wood River tributary to Malad River4. Date or priority 4-1-1885

5. Water is used for the following purpose:

amount 2.64 cfs for Irrig. purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.64 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	25	5S	14E	Gooding	Hegbergte #35
		NE	NW	31	5S	15E	"	" #33

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	14E	25							X			X							
		26				X									X				

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OCT 24 1994

Total acres _____

9. Describe any other water rights used for the same purpose as described above American Falls #2 water

PART 2

Transfer No. 4020

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.44 cfs for Irrig. purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	25	5S	14E	Gooding	Headgate #35, Jones Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	14E	25										7.5							7.5
		26													11.3				11.3

Total acres 18.8

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 2.20 cfs for Irrig. purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	31	5S	15E	Gooding	Headgate #33

3. Lands irrigated or place of use: As Claimed In SRBA

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	14E	25							40			46							46
		26				40													40

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OCT 24 1994

Total acres 86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-00072A on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Big Wood River tributary to Majed River4. Date or priority 4-1-1885

5. Water is used for the following purpose:

amount 0.44 cfs for Irrig. purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.44 cubic feet per second and/or 143.7 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	25	5S	14E	Gooding	
		NE	NW	31	"	15E	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	14E	25										16.4							16.4
		26													31.5				31.5

Total acres 47.99. Describe any other water rights used for the same purpose as described above Canal shares**MICROFILMED****OCT 24 1994**

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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OCT 24 1994

POOR ORIGINAL

Rixon Transfer
Application

old PID

New
PID

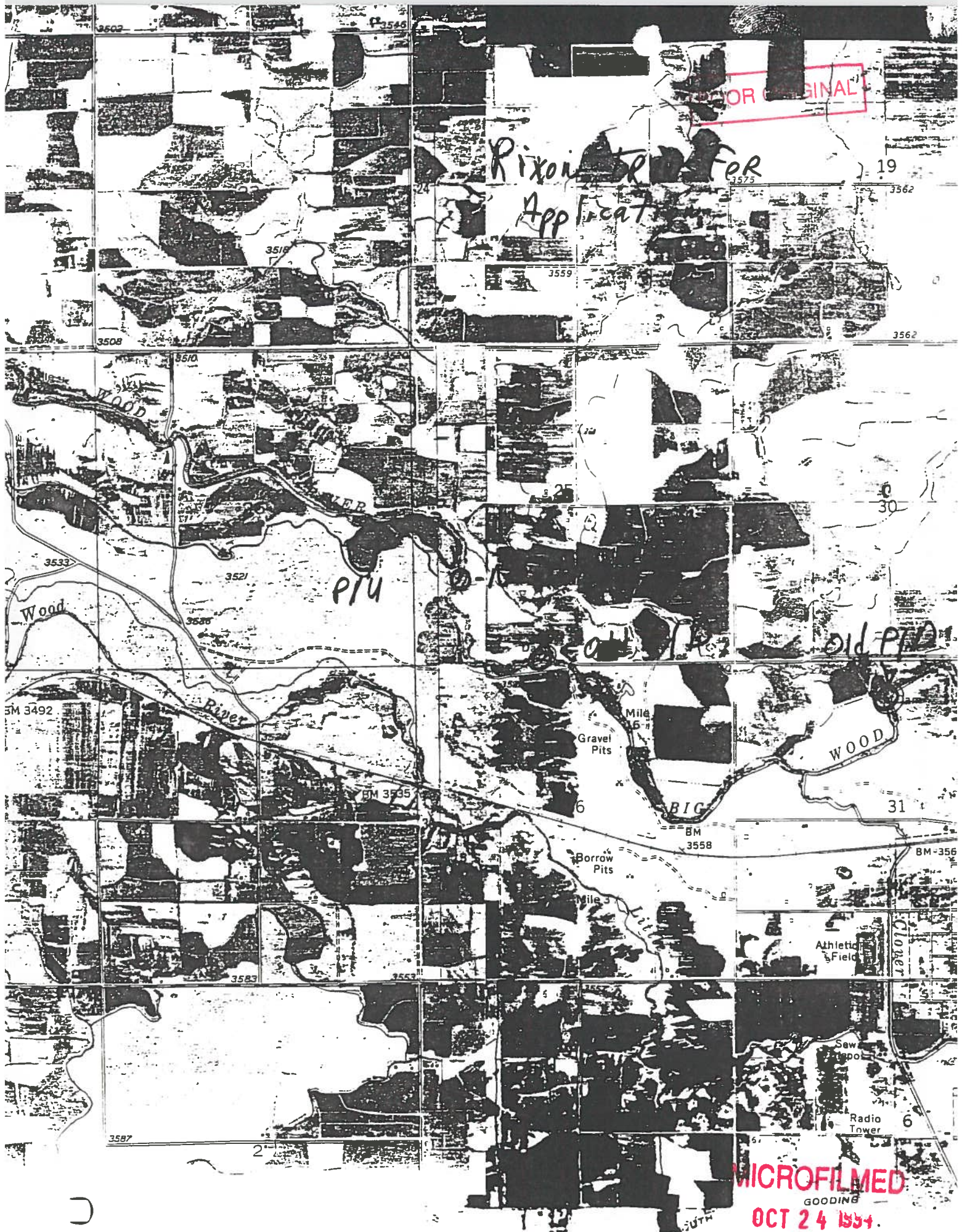
Total Acres

T-48

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OCT 24 1994

T-48



FOR ORIGINAL

Pixon to Fer
Applicat

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P14

old P14

MICROFILMED
GOODING
OCT 24 1954

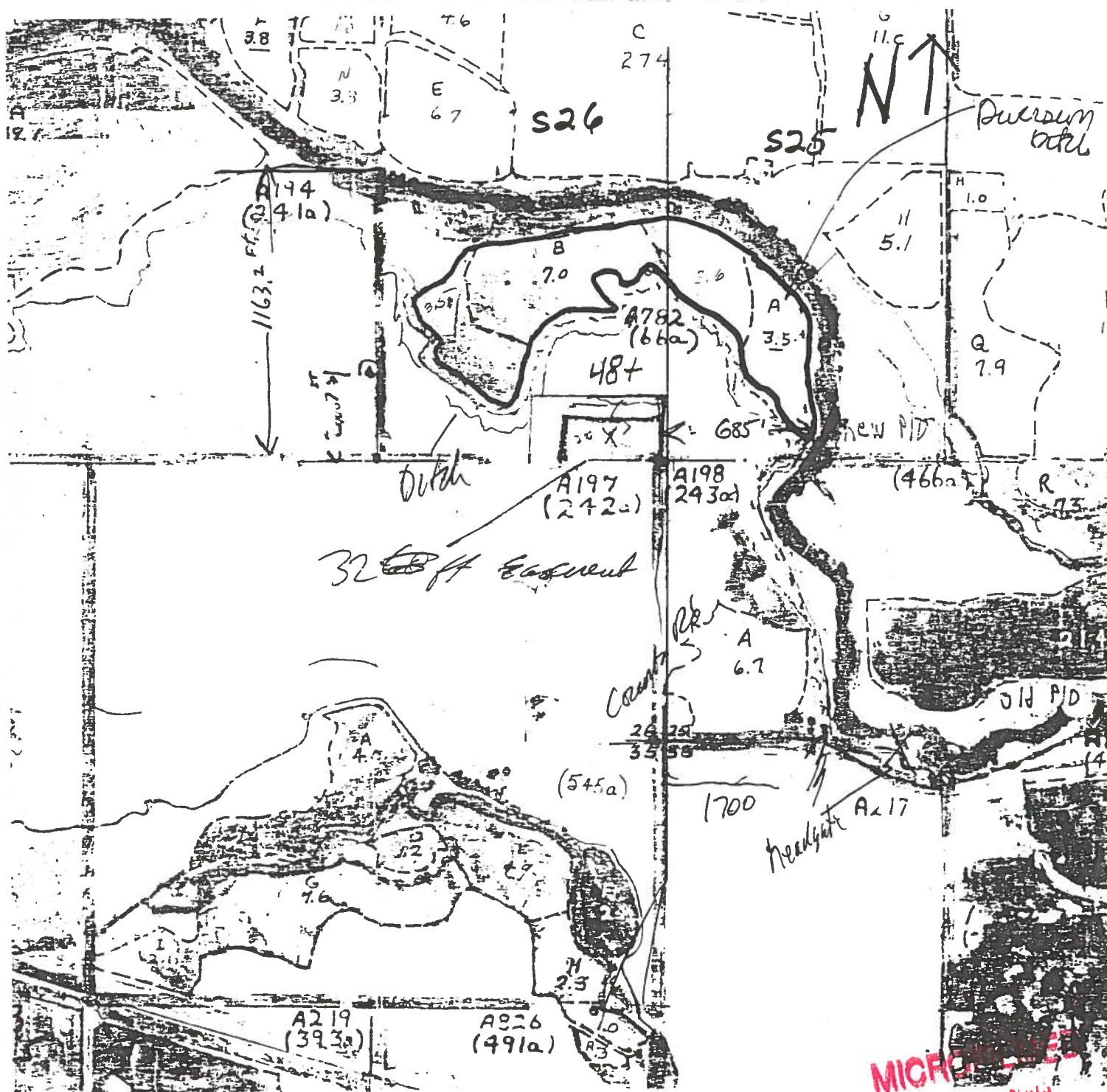
F# 4020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POOR ORIGINAL

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



MICHAEL
OCT 24 1984

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Carl A. R.

(Signature of Applicant)

Subscribed and sworn to before me this 5th day of May, 19 92.Mary G. Baldwin

(Notary Public)

My commission expires 10/16/1992**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and 3 attachmentsReceived by J. G. Stanton Date 5-5-92 Protest filed by _____Prelim. check by M+S Fee \$50, \$014496 _____Receipted by JG Date 5-5-92 _____Published in Gooding Co. Reader Copies of protest forwarded by _____Pub. dates 12/2 & 12/9/92 Hearing held by _____ Date _____Watermaster recommendation requested on 11/20/92 Recommended for ☒ approval ☐ denial_____ rec'd. 1-5-93 by LF

Copy of transfer sent to lien holder _____

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OCT 24 1994

POOR ORIGINAL

WARRANTY DEED

For Value Received

WAYNE W. BOEGER, also shown of record as
 WAYNE WILLIAM BOEGER, an unmarried man

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

CARL H. RIXON and KARIN RIXON, husband and wife
 whose address is: Box 462, Sun Valley, Idaho 83353

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

SEE ATTACHED EXHIBIT "A"
 (containing two pages)

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: December 20, 1989

Wayne W. Boeger
 Wayne W. Boeger

STATE OF IDAHO, COUNTY OF GOODING

On this 21st. day of December, 1989
 before me, a notary public in and for said State, personally appeared

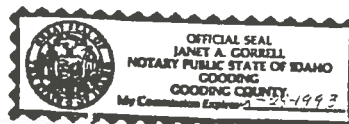
Wayne W. Boeger

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. Correll

Notary Public

Residing at Gooding, Idaho, Idaho.



STATE OF IDAHO
 COUNTY OF GOODING, SS
 IN PRESENCE OF ME
 I, *Janet A. Correll*
 Notary Public
 DO HEREBY CERTIFY THAT
 THE FOREGOING INSTRUMENT
 WAS DULY FILED FOR RECORD
 ON DEC 21 PM 3 54
 DEPT. OF REVENUE REC.
 DEPT. OF REVENUE REC.

130186

MICROFILMED
 OCT 24 1994

TOWNSHIP 5 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

- Section 25: That portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and
- Section 26: That portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, both lying South and West of Big Wood River, EXCEPT tract described as follows:

Beginning at the Southeast corner of said Section 26;

Thence Northerly along the Easterly boundary of said Section 26, North 0°00' East, 1326.91 feet to the Southeast corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ and THE TRUE POINT OF BEGINNING;

Thence continuing Northerly along the Easterly boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, North 0°00' East, 362.00 feet;

Thence Westerly parallel with the Southerly boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, North 89°56'53" West, 660.00 feet;

Thence Southerly parallel with the Easterly boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, South 0°00'00" West, 362.00 feet to the Southerly boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence Easterly along said Southerly boundary South 89°56'53" East, 660.00 feet to THE TRUE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS:

Commencing in the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, Township 5 South, Range 14, East of Boise Meridian, a strip of land 32 feet wide running due West along the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, Township 5 South, Range 14, East of Boise Meridian a distance of 692.0 feet for the benefit of the above described land and RESERVING AN EASEMENT for ingress and egress across the same above-described land for the benefit of 2.5 acre parcel described as follows:

Commencing at the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, Township 5 South, Range 14, East of Boise Meridian;

Thence running due West a distance of 330 feet to THE TRUE POINT OF BEGINNING;

Thence running due North a distance of 362 feet;

Thence running due West a distance of 330 feet;

Thence running due South a distance of 362 feet;

Thence running due East a distance of 330 feet to THE TRUE POINT OF BEGINNING.

TOGETHER WITH a strip of land two rods wide along the East side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 26 for roadway for ingress and egress. It is understood and agreed that this strip of land above described is being deeded to be used for a road right of way in connection with the above described property.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 16.4 acres assessed under American Falls Reservoir District II and 22.0 M.I. Big Wood River Decreed Rights.

MICROFILMED

OCT 24 1994

Vol 3. Decatur
801

~~File 7+~~

37-G

POOR ORIGINAL

Facts V 3 P 749

File No. 205-~~P~~

S. C. Frost, et al.,

Plaintiffs,

-vs-

Alturas Water Company, et al.,

Defendants.

W.L. Dupling

Transfers Shown

37-2003
210717

Oct 1 2 1954

MICROFILME

OCT 24 1994

T# 4020

POOR ORIGINAL

In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.

RECEIVED

JAN 31 1910

OFFICE OF STATE ENGINEER

S. C. Frost, et al.,

Plaintiffs,

vs.

Alturas Water Company, et al.,

Defendants.

DECREE.

This cause coming on to be heard this 6th day of October,
1909, upon the Report of F. J. Cowen, Referee heretofore appointed for
the purpose of taking the testimony and making recommendations as to Find-
ings of Fact, Conclusions of Law and Decree, to be entered herein, and the
said F. J. Cowen having filed his Report of the testimony taken, and his
recommendations as to Findings of Fact, Conclusions of Law, which have
heretofore been adopted, and the respective plaintiffs and defendants and
cross-complainants appearing herein by their respective counsel, and the
court being fully informed and advised in the premises, and having ordered
that judgment be entered in accordance with the Report and recommenda-
tions of the said Referee, Wherefore, by reason of the law and the Report
and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plain-
tiffs and defendants herein named, do have judgment respectively for a

MICROFILMED

OCT 24 1964

POOR ORIGINAL

right to use, for irrigation and other purposes, the following number of inches of water, each fifty inches thereof to be equivalent to a flow of one cubic foot per second, as prescribed by the law of Idaho, from the waters of the Malad or Big Wood River and its tributaries, situated in the counties of Blaine and Lincoln, State of Idaho, their priorities to date from the times hereinafter named, to-wit:

37 0003	Abbott, George H.	100 inches.	June 18, 1883.	Soldier Creek. ⁷⁵⁰¹
37 0004	Abbott, William G.	105 "	Mch. 24, 1883.	Big Wood River. (From Riley ditch.)
37 0005	Adams, Henry W.	150 "	Mch. 10, 1883.	Big Wood River.
	Adams, Jacob	150 "	May 1, 1881.	Silver Creek.
	" "	125 "	Apr. 1, 1885.	" "
	" "	30 "	Apr. 1, 1887.	" "
	Adamson, Margaret			Little Wood River Canal Company shares.
	Ainsworth, James	80 "	Apr. 15, 1884.	Little Wood River.
	" "	80 "	June 20, 1883.	" " "
	Ainsworth, J. L.	20 "	Apr. 15, 1884.	" " "
	" "	8 "	May 1, 1883.	" " "
	Ainsworth, Joseph	72 "	May 15, 1883.	" " "
	" "	70 "	Apr. 15, 1884.	" " "
	Albrethson, Albert	110 "	May 1, 1883.	" " "
	" "	50 "	July 9, 1886.	" " "
	" "	50 "	Apr. 1, 1889.	" " ^{#771-}
	" "	20 "	June 30, 1889.	" " "
	" "			Little Wood River Canal Company shares.
	Albrethson, Martin	200 "	Sept. 1, 1887.	Silver Creek.
	" "	50 "	June 17, 1899.	" " (Exclusive right from pond.)
	" "	60 cubic ft.	Aug. 2, 1902.	Silver Creek. (For power purposes.)
	" "	160 inches.	Mch. 23, 1883.	Big Wood River. (From Riley ditch.)

MICROFILMED
OCT 24 1994

POOR ORIGINAL

✓ Berry, George	50 inches.	May 31, 1897.	Little Wood River. + De
✓ " " "	50 "	May 31, 1898.	" " "
✓ Best, A. C.	10 "	June 1, 1886.	Soldier Creek.
✓ " " "	90 "	June 1, 1888.	" "
✓ Best, Henry C.	130 "	Aug. 3, 1883.	" "
✓ Betts, Frank E.	140 "	Aug. 14, 1906.	Big Wood River.
✓ Big Cottonwood Canal Company	9600 "	May 27, 1899.	" " "
✓ Black, Charles M.	140 "	July 1, 1880.	" " "
✓ " " "	420 "	July 1, 1880.	" " "
✓ " " "	140 "	July 1, 1881.	" " "
✓ Black, William M.	100 "	July 31, 1881.	" " "
✓ " " "	280 "	May 1, 1883.	" " "
✓ " " "	385 "	June 15, 1883.	" " " Trans. 104
✓ " " "	210 "	Dec. 19, 1882.	" " "
✓ " " "	300 "	June 26, 1883.	" " " Trans. 104
✓ " " "	80 "	June 26, 1883.	" " "
✓ " " "	230 "	Oct. 26, 1886.	" " " Trans. 104
✓ " " "	100 "	May 15, 1887.	Crystal Creek.
✓ Blair, Samuel M.	100 "	May 1, 1892.	Big Wood River.
✓ Bliss, D. B.	152 "	Apr. 1, 1885.	" " "
✓ Board, Charles	200 "	May 31, 1900.	East Fork of Big Wood River.
✓ " " "	25 cubic ft.	July 13, 1901.	East Fork of Big Wood River. (For power purposes.)
✓ " " "	50 cubic ft.	July 26, 1902.	Warm Springs Creek. (For power purposes.)
✓ " " "	300 cubic ft.	Jan. 2, 1906.	Big Wood River. (For power purposes.)
✓ Boardman, Thos. G.	200 inches.	July 15, 1886.	Hix's Creek, or Boardman's Creek.
✓ Bock, Henry	90 "	Apr. 15, 1884.	Little Wood River.
✓ " " "	95 "	May 1, 1884.	" " "
✓ Bolin, Samuel	160 "	Oct. 20, 1902.	Big Wood River.

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: A37-00072A

Date Received: 12/26/1989

Receipt No: S010755

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL H. RIXON
Address: P.O. BOX 462 208-726-3933
SUN VALLEY, ID 83353

AND/OR

Name: KARIN RIXON
Address: P.O. BOX 462 208-726-3933
SUN VALLEY, ID 83353

2. Date of Priority: APR 01, 1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	14E	25	SE	SW			GOODING
	15E	31	NE	NW			GOODING

5. Description of diverting works:
WALTERS #33 AND/OR HASH #35 HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

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

8. Total consumptive use is 143.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A37-00072A

Page 1

Date: 12/26/89

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	14E	25	NW SW		IRR	16.4
					Section Acres	16.4
		26	NE SE		IRR	31.5
					Section Acres	31.5
					Total Acres	47.9

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:

16.4 SHARES, MILNER-GOODING CANAL COMPANY

14. Remarks:

THIS CLAIM IS A PORTION OF THE ORIGINAL DECREE OF 132" DECREED TO BLISS. THE OTHER 22" IS OWNED BY SOMEONE ELSE.

A37-00072A, 0.44 CFS (22") TO CARL H. OR KARIN RIXON, 12/26/1989
VARIAABLE FEE PAID TO CANAL CO. (ATTACHED LETTER) _____ RVW.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A37-00072A
Date Received 12-26-1989
Receipt Number 5010755

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 26 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Carl H. Rixon or Karin Phone (208) 726-3933
Mailing Address Box 462, Sun Valley, ID Zip 83353

2. Date of Priority (Only one (1) per claim) 04/01/1885

3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of existing point of diversion is: Township 05S Range 14E Section 25,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, B.M., County of Gooding

Additional points of diversion if any: T5S, R 15E, Sec. 31 NE, NW

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

Township Range Section, 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section, 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Walters # 33, and Hash #35

Headgates

MICROFILMED
FEB 22 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4 / 1 to 11 / 1 amount 0.44 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.44 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 144 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
05S	14E	25										16.4							16.4
05S	14E	26												31 ⁵					31 ⁵

Total number of acres irrigated 47.9

11. In which county (ies) are lands listed above as place of use located? Gooding

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.

16.4 shares Irrigation Water from Milner-Gooding Canal Company or None ()

14. Remarks:

MICROFILMED
FEB 22 1993

Last Name Rixon Ident No. A37-00072A

Copies: White -State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number 37-00072

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 _____

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

Signature of Claimant (s) Carl H. Rixon Date 12-21-1989

Karin Rixon Date 12-21-1989
Karin Rixon

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

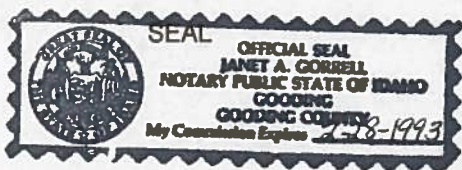
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 21st day of December 1989



Notary Public Janet A. Gorrell

Residing at Gooding, Idaho

My Commission Expires 2-28-1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

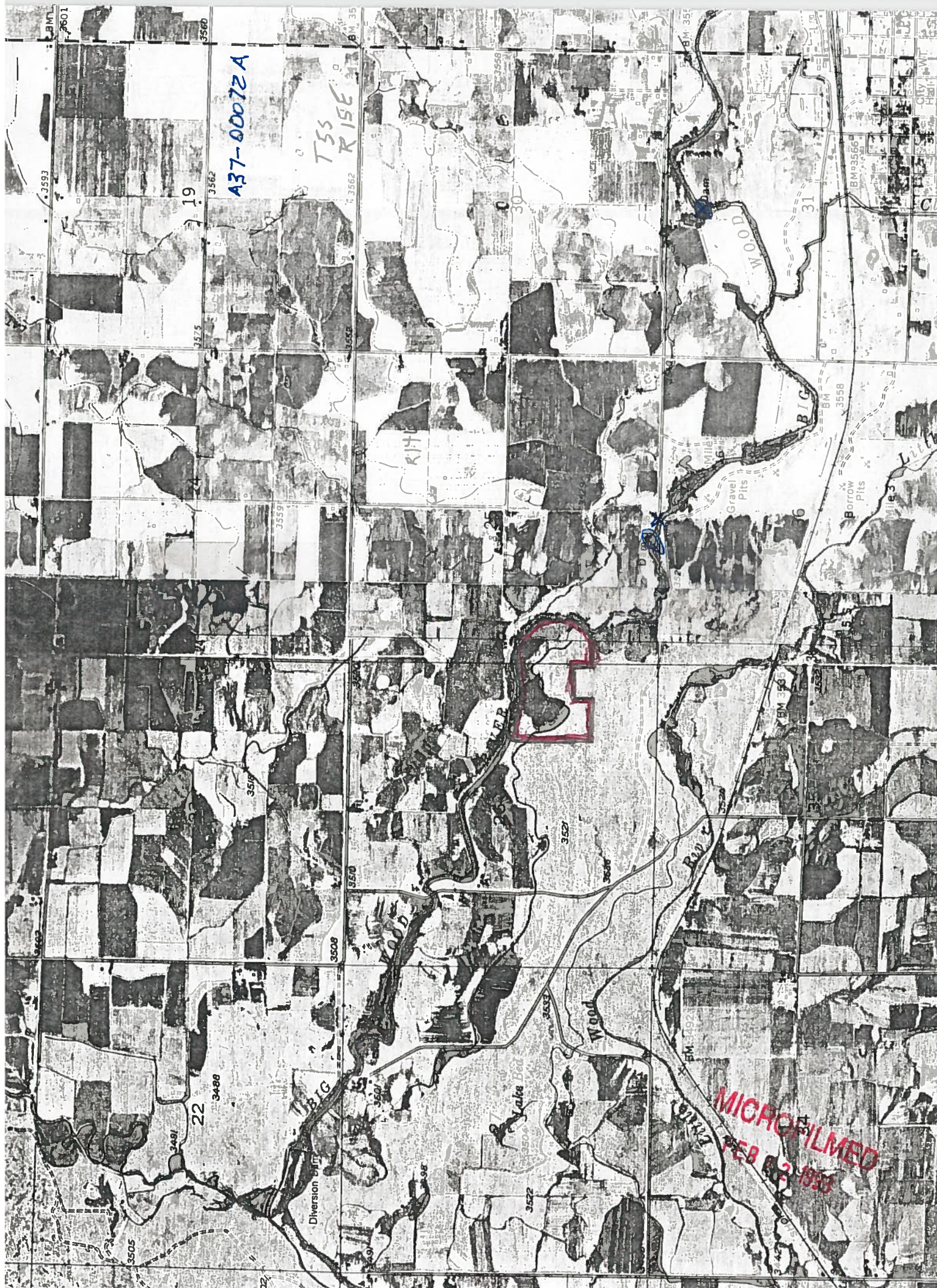
Address _____

Date _____

MICROFILMED
FEB 22 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



FILE - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

MICROFILMED
FEB 22 1993

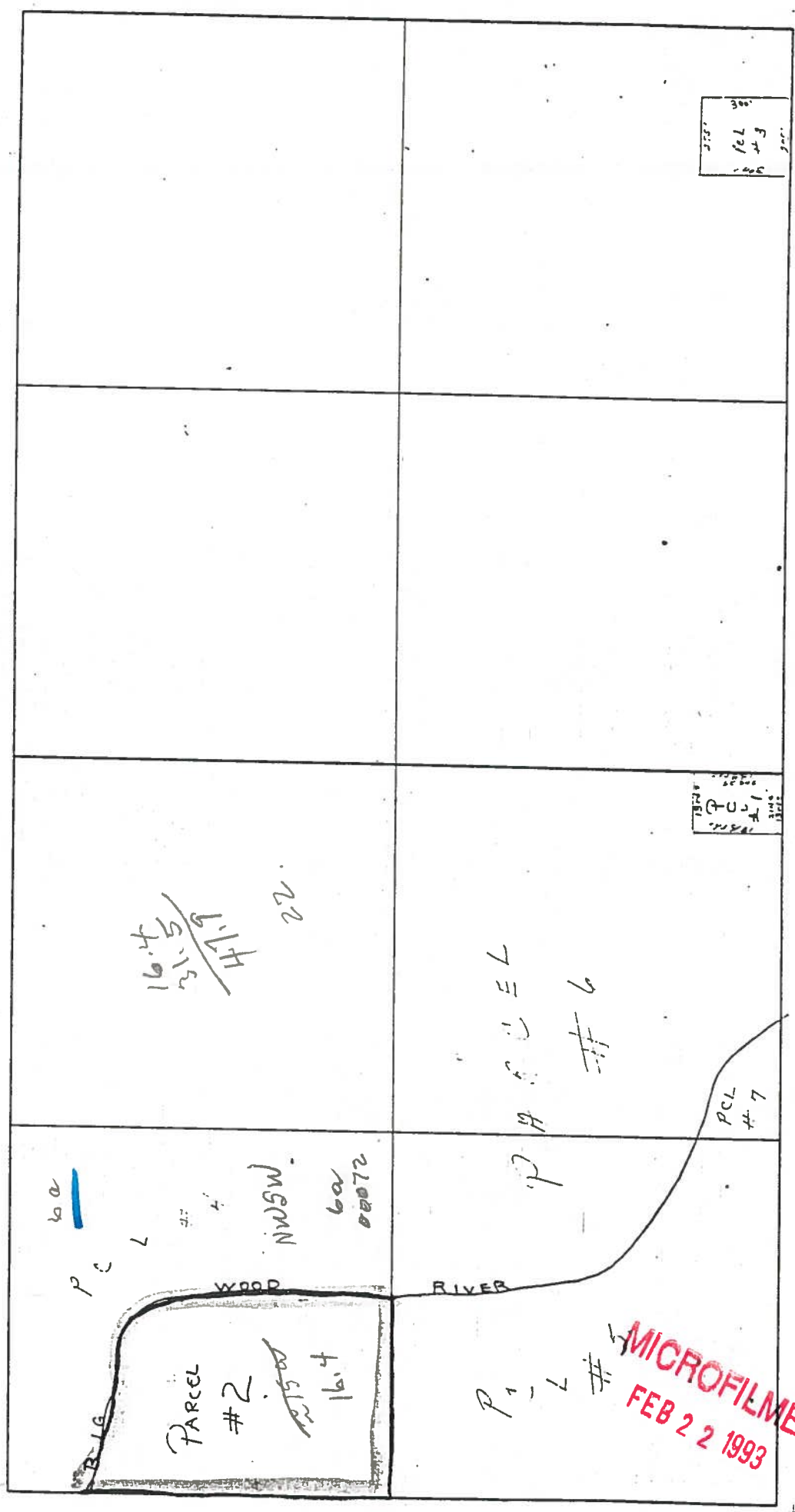
IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number -	37-00072	Adj. flag translation:	Standard Water Right Number	
+ - - - - Decree Plaintiff	- - - +	+ - - - - Decree Defendant	- - - +	+ - Decree Date - +
S. C. FROST, ET. AL.		ALTURAS WATER COMPANY, ET. AL.		12/13/1909
+ - - - - Audit Fields	-			
+ - - - -	-	Water Rights Dates and Flags Area	- - - - -	- - - - -
		Proof Due Date	- 00/00/0000	Field Exam Fee
		Approved/Denied	- 00/00/0000	Swan Falls
		Proof Made Date	- 00/00/0000	Temporary Right
		Start Work Date	- 00/00/0000	DLE/Carey Act
		Order Show Cause	- 00/00/0000	Water District
		Licensed Date	- 00/00/0000	Transfer/Amended
		Decree Date	- 12/13/1909	

MICROFILMED
FEB 22 1993

SOUTH
HALF
SEC 25

5WNW 40a 212



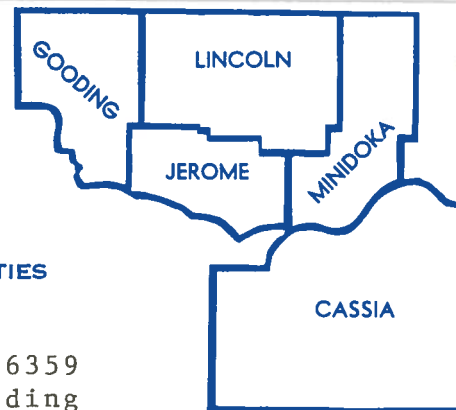
SCALE 1"=400'

MICROFILMED
FEB 22 1993

Land Title and Escrow, Inc.

COMPLETE SERVICE

— 5 IDAHO COUNTIES



REFER TO: G-16359
OFFICE: Gooding

December 22, 1989

RECEIVED

DEC 26 1989

Department of Water Resources
Southern Region Office

Mr. R. V. Worstell
Water Right Agent
Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Re: A37-00072A

Dear Bob:

Please find enclosed executed Notice of Claim to a Water Right and Land Title and Escrow Check No. 1800 in the amount of \$100.00 for basic and late fee. The variable fee has been paid through American Falls Reservoir District II and was verified by Colleen Bishop Secretary.

Please let me know if the claim was not properly completed and I will contact Mr. and Mrs. Rixon.

Thank you for your assistance.

Sincerely,

Janet

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

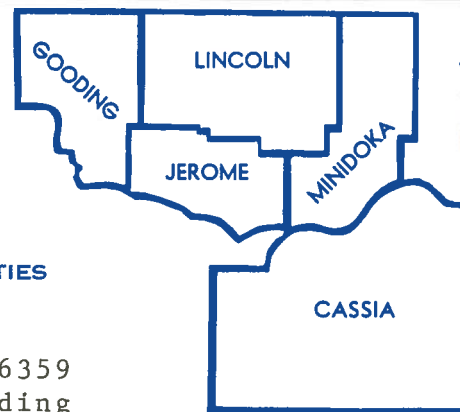
Titles insured by **Lawyers Title Insurance Corporation** Richmond, Virginia "One of the Nation's largest and strongest title insurance companies"

MICROFILMED
FEB 22 1993

Land Title and Escrow, Inc.

COMPLETE SERVICE

— 5 IDAHO COUNTIES



REFER TO: G-16359
OFFICE: Gooding
December 12, 1989

RECEIVED

DEC 13 1989

Department of Water Resources
Southern Region Office

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

Re: Boeger

Dear Bob:

With reference to our telephone conversation of December 11th, please find enclosed land description of property being sold by Wayne Boeger to Carl H. and Karin Rixon. As discussed Mr. Boeger did not file in Gooding County for adjudication of rights. Would you please provide this office with an application to be completed in closing by Mr. and Mrs. Rixon and the amount of the fee for this filing. The water rights are as follows:

16.4 acres assessed under American Falls Reservoir Dist. II
22.0 MI Big Wood River Decreed Rights

We are also enclosing copy of map of land being sold for your reference.

Your assistance is appreciated and if we can provide further information, please contact this office at 934-8477 or P.O. Box 473, Gooding, Idaho 83330.

Thank you.

Sincerely,

Janet
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 22 1993

Titles insured by **Lawyers Title Insurance Corporation** Richmond, Virginia "One of the Nation's largest and strongest title insurance companies"

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

TOWNSHIP 5 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: That portion of the NW~~X~~SW~~X~~ and

Section 26: That portion of the NE~~X~~SE~~X~~, both lying South and
West of Big Wood River, EXCEPT tract described as
follows:

Beginning at the Southeast corner of said Section
26;
Thence Northerly along the Easterly boundary of
said Section 26, North 0°00' East, 1326.91 feet
to the Southeast corner of said NE~~X~~SE~~X~~ and THE
TRUE POINT OF BEGINNING;
Thence continuing Northerly along the Easterly
boundary of said NE~~X~~SE~~X~~, North 0°00' East,
362.00 feet;
Thence Westerly parallel with the Southerly bound-
ary of said NE~~X~~SE~~X~~, North 89°56'53" West, 660.00
feet;
Thence Southerly parallel with the Easterly bound-
ary of said NE~~X~~SE~~X~~, South 0°00'00" West, 362.00
feet to the Southerly boundary of said NE~~X~~SE~~X~~;
Thence Easterly along said Southerly boundary South
89°56'53" East, 660.00 feet to THE TRUE POINT OF
BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS
DESCRIBED AS FOLLOWS:

Commencing in the Northeast corner of the SE~~X~~SE~~X~~,
Section 26, Township 5 South, Range 14, East
of Boise Meridian, a strip of land 32 feet wide
running due West along the North line of said
SE~~X~~SE~~X~~, Section 26, Township 5 South, Range 14,
East of Boise Meridian a distance of 692.0 feet
for the benefit of the above described land and
RESERVING AN EASEMENT for ingress and egress
across the same above-described land for the
benefit of 2.5 acre parcel described as follows:

Commencing at the Southeast corner of the NE~~X~~SE~~X~~,
Section 26, Township 5 South, Range 14, East of
Boise Meridian;
Thence running due West a distance of 330 feet to
THE TRUE POINT OF BEGINNING;

C o n t i n u e d

Schedule A Page 2 No. BF 462084

MICROFILMED
FEB 22 1993

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

Thence running due North a distance of 362 feet;
Thence running due West a distance of 330 feet;
Thence running due South a distance of 362 feet;
Thence running due East a distance of 330 feet to
THE TRUE POINT OF BEGINNING.

TOGETHER WITH a strip of land two rods wide along
the East side of the SE~~X~~SE~~X~~ of said Section 26
for roadway for ingress and egress. It is understood
and agreed that this strip of land above described is
being deeded to be used for a road right of way in con-
nection with the above described property.

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Schedule A Page 3 No. BF 464084

14E

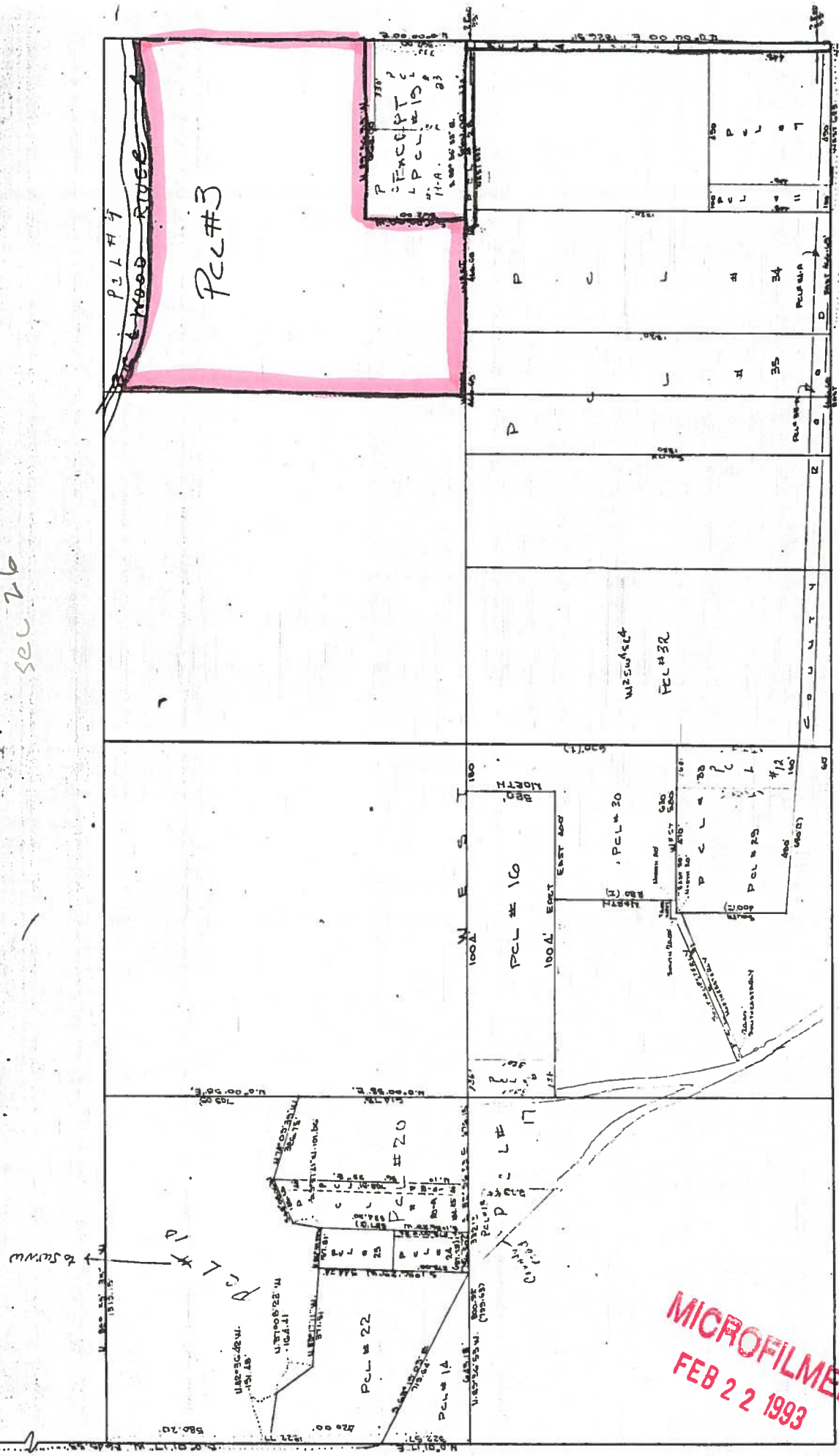
T55

26

SOUTH

HALF

SEC 26

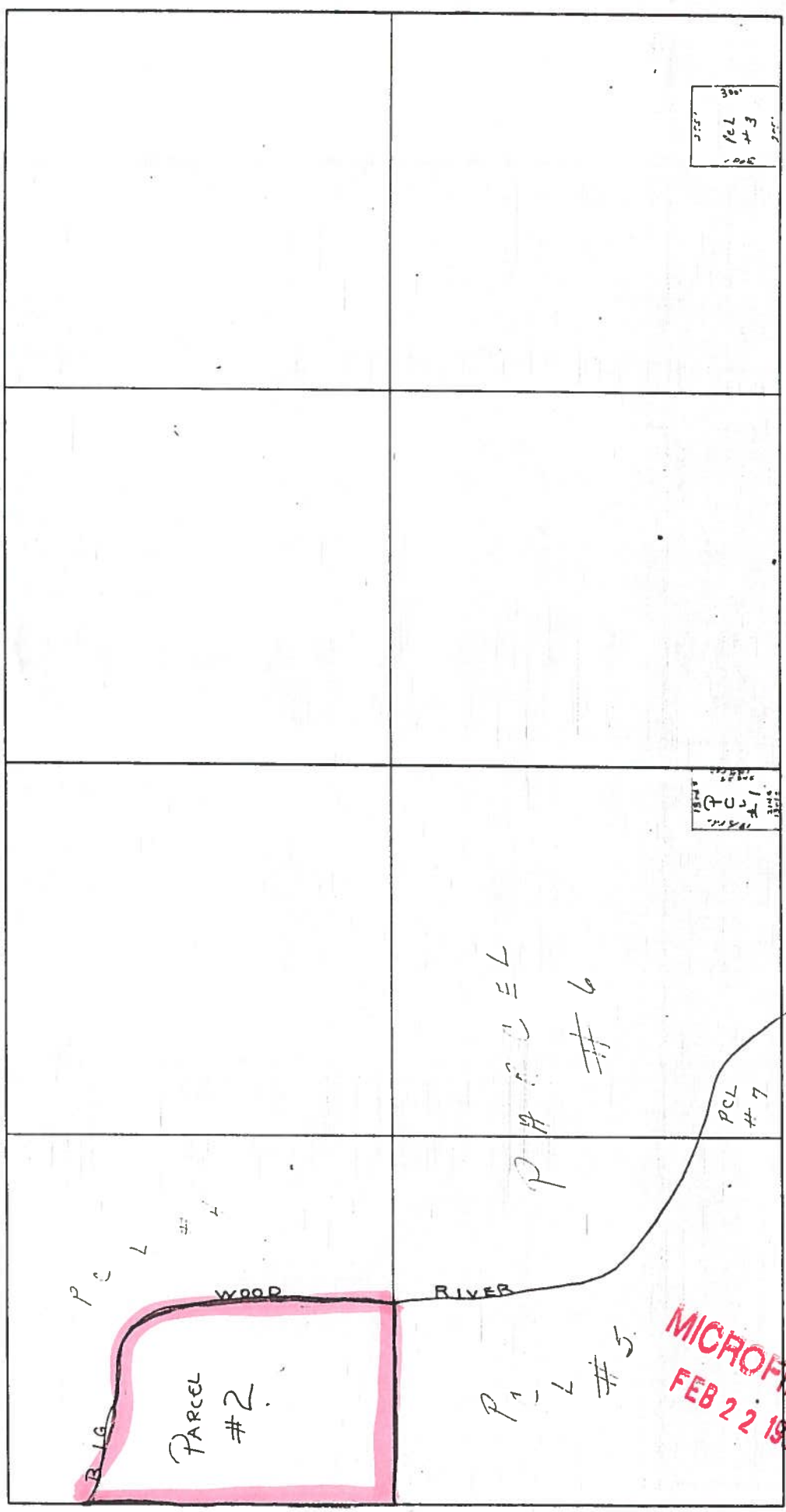


note: PCL #14 is E 2 acres (33) of SEC 14
PCL #15 is 1/4 mile from E 32' of SEC 14

SCALE 1"=400'

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SOUTH
HALF
SEC 25



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SCALE 1"=400'



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dec. 27, 1989

Re: A37-00072A

CARL H RIXON
P O BOX 462
SUN VALLEY ID 83353

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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FEB 22 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 30, 1989

Gary Oyen or Karin Rixon
P. O. Box 273
Ketchum, Idaho 83340

Southern

A 37-00072A

Re: Snake River Basin Adjudication SRBA
Blaine County

Dear Claimants:

We are returning your Notice of Claim to a Water Right filed for your property in Blaine County and your check #1790, in the amount of \$25.00.

Any water right developed from a groundwater source after March 25, 1963, for any use other than single family domestic use, is required to have an application for permit filed. We were unable to find an existing permit or license for this property. The claim you have presented conflicts with the Ground Water Statute at §42-230, Idaho Code, and Water Appropriation Rules and Regulations, paragraph 2,15.

You have two options for filing your water right at this time, they are:

1. File two separate adjudication claims, one for each house with the priority dates corresponding to the dates when each house first used water from the well;
2. File an application for permit for multiple households on one source. The priority date for both homes would be the day the application is received by the Department of Water Resources.

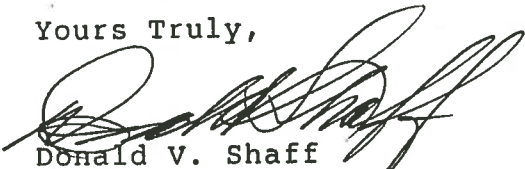
I have enclosed an Application for Permit, with instructions for your use in this matter. If you will return the completed forms to the Department of Water Resources - Southern Region Office, 2148 Fourth Avenue East, Twin Falls, Idaho 83301, we will be happy to proceed. Filing the Application for Permit to make the use of the water in two households under a single priority date has no deadline; however, the sooner you file, the sooner your priority date is established.

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Gary Oyen or Karin Rixon
Page 2
May 30, 1989

Should you wish to pursue before the court the exact water right you have presented on this claim, simply return the claim form to this office. The claim form should be delivered to our office or postmarked by June 30, 1989, to avoid a late filing fee. Do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,



Donald V. Shaff

Manager, Adjudication Section

DVS:mcc:south

Enclosures:

Original Notice of Claim
Check #1790 (\$25.00)
Permit Application w/Instructions
Short Claims (2) w/Instructions

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FEB 22 1993