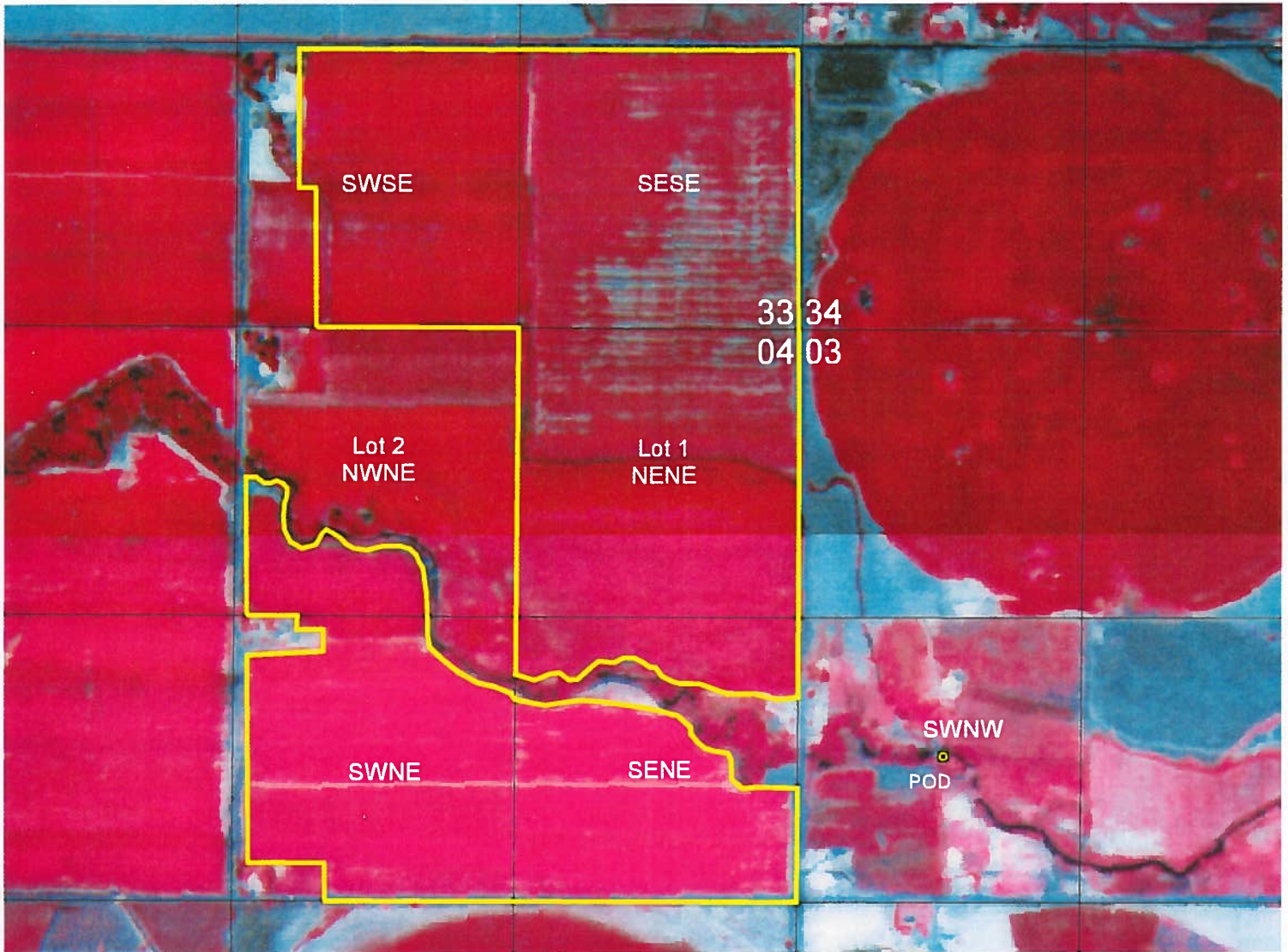
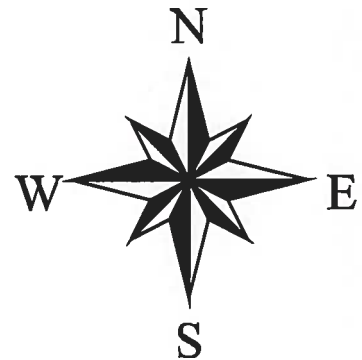


37-609E



700 0 700 1400 2100 Feet

T05S R15E S33
T06S R15E S04



Map prepared by: Carter Fritschle
Date prepared: 02/27/03
1987-1988 NAPP photography
Idaho Department of Water Resources

02/27/2003

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

RIGHT NUMBER: 37-609E

NAME AND ADDRESS: FRANK A BORNEMAN AND DOROTHY E BORNEMAN FAMILY PARTNERSHIP
2242 E 1700 S
GOODING ID 83330

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.220 CFS

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION:

T06S R15E S3 SWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

2.220 CFS

PLACE OF USE:

IRRIGATION Within GOODING County

T05S R15E S33	SWSE	29.0	T05S R15E S33	SESE	39.0
T06S R15E S04 Lot 1	NENE	41.0	T06S R15E S04 Lot 2	NWNE	7.5
T06S R15E S04	SWNE	33.0	T06S R15E S04	SENE	33.0

182.5 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

WATER IS DELIVERED THROUGH THE SLOUGH DITCH.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS RESERVOIR DIST. NO. 2.

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-609A

Parent Right 37-609A

1. General Split Right History:

WR 37-609 was split into A (2.2 cfs) and B (0.7 cfs). WR 37-609A was recombined with WR 37-609B and split into WR 609B (2.47 cfs) WR 37-609C (0.22 cfs) and WR 37-609D (0.21 cfs)
Note: The deeds used to create the second WR 37-609B only totaled 2.3875 cfs.

AJ 37-609A was created to serve as a common parent right for the combinations and splits of 37-609 claimed in the SRBA. AJ 37-609 claimed most of WR 37-609B. It was later split into parts E and F by a change of ownership. Also, a portion of WR 37-609C was claimed as AJ 37-609B. WR 37-609D was combined with other rights and is now a portion of AJ claim 37-13043. The remaining 0.12 cfs of the original WR 37-609 has been claimed as 37-10933, which was split into A and B portions by a change of ownership.

AJ 37-609B	= 0.20 cfs	From WR 37-609C
AJ 37-609D	= 0.21 cfs	Renumbered to 37-13043
AJ 37-609E	= 2.22 cfs	
AJ 37-609F	= 0.15 cfs	
AJ 37-10933	= 0.12 cfs	Split into 37-10933A and 37-10933B
Total	= 2.90 cfs	

Water right claimed in full. CLF 02-27-03

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 37-609E
Date Received: 8/25/1988
Receipt No: X777777
Received By: 5024942

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Amended

1. Name of Claimant(s)

DOROTHY BORNEMAN Phone: (208)934-5098
2242 E 1700 S
GOODING ID USA 83330

2. Date of Priority: 04/01/1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	15E	3	SE NW SW	GOODING	
05S	15E	33	SE SW SE	GOODING	R

5. Description of diverting works:

CONCRETE AND DROP BOARD DIVERSION TO SLOUGH DITCH (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.218	

7. Total Quantity Appropriated is:
2.22 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
05S	15E	33	SW	SE	IRRIGATION	29	
			SE	SE	IRRIGATION	39	
			Section Acres				68
06S	15E	4	NE	NE	1	IRRIGATION	40
			NW	NE	2	IRRIGATION	9.5
			SW	NE		IRRIGATION	33
			SE	NE		IRRIGATION	33
			Section Acres				115.5
Total Acres				183.5			

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:

14. Remarks:

After reviewing the information contained in the files for the 1995 ownership change I found that the place of use was mis-identified. I have corrected the records to reflect the change in location for the property purchased by Chambers. The change does not necessarily reflect the actual irrigated place of use though.

I changed the ownership from Lee to Borneman based upon a warranty deed trail. Based upon ascs maping and arcview I found that the irrigated place of use appeared greater than the initial claimed place of use. Ms Borneman elected to amend the claim to add the additional acres to the place of use. kkc 5-16-2002

THIS CLAIM CONSTITUTES MOST OF RT FORMED BY TRANS. 2440.(37-0609B WATER FOR LEE PROPERTY IS DIVERTED FROM THE SLOUGH DITCH AT THE POINT SHOWN AS REDIVERSION AND PUMPED VIA A 75 HP AND A 40 HP PUMP TO SPRINKLER SYSTEM.

MRS. ANNA SIMIS OWNS REMAINING PORTION OF THE RIGHT CREATED BY TRAN. 2440.

***** OWNERSHIP CHANGE RESULTED IN A SPLIT. A37-00609E(2.218 CFS) BELONGS TO LEE WITH 168 ACRES. A37-00609F(.15 CFS) BELONGS TO CHAMBERS WITH 22 ACRES.

15. Basis of Claim: Decreed

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):

Anthony Bonner

Date: 5.16.02

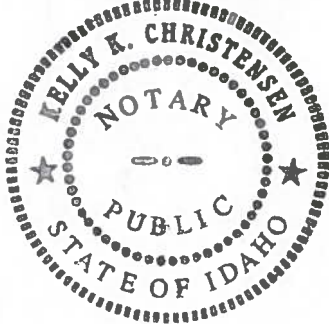
Date: _____

State of Idaho)

) SS.

County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 16th day of May 2002



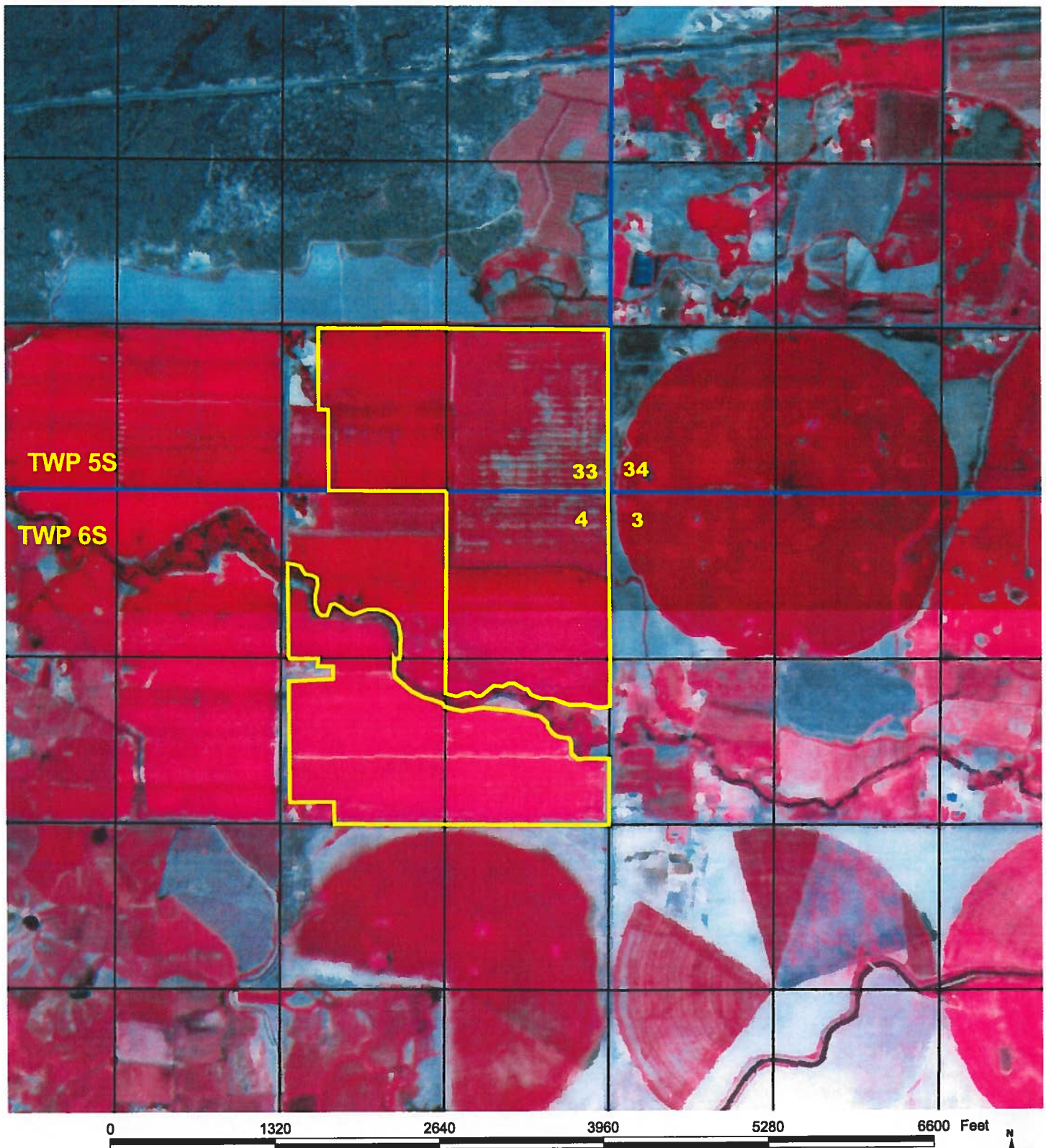
Kelly K Christensen
Notary Public

Residing at _____ Twin Falls ID _____

My commission Expires 3-11-2004

IDAHO DEPARTMENT OF WATER RESOURCES

CLAIMED PLACE OF USE FOR 37-609E



TWP 5S, RNG 15E, SEC 33
TWP 6S, RNG 15E SEC 4

- SECTION LINES
- QUARTER QUARTER LINES
- CLAIMED POINT OF DIVERSION
- CLAIMED PLACE OF USE

PREPARED 5-16-2002

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

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 37-609E
Date Received: 8/25/1988
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KENNETH JAMES LEE Phone: (208)934-5018
1959 E 1550 S
GOODING ID USA 83330

2. Date of Priority: 04/01/1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	15E	3	SE NW SW	GOODING	
05S	15E	33	SE SW SE	GOODING	R

5. Description of diverting works:

CONCRETE AND DROP BOARD DIVERSION TO SLOUGH DITCH (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.218	

7. Total Quantity Appropriated is:

2.22 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	15E	33	SW SE	IRRIGATION	28
			SE SE	IRRIGATION	38
Section Acres					66

06S	15E	4	NE	NE	1	IRRIGATION	38
			SW	NE		IRRIGATION	31
			SE	NE		IRRIGATION	33
Section Acres							102
Total Acres							168

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:

14. Remarks:

After reviewing the information contained in the files for the 1995 ownership change I found that the place of use was mis-identified. I have corrected the records to reflect the change in location for the property purchased by Chambers. The change does not necessarily reflect the actual irrigated place of use though.

THIS CLAIM CONSTITUTES MOST OF RT FORMED BY TRANS. 2440.(37-0609B WATER FOR LEE PROPERTY IS DIVERTED FROM THE SLOUGH DITCH AT THE POINT SHOWN AS REDIVERSION AND PUMPED VIA A 75 HP AND A 40 HP PUMP TO SPRINKLER SYSTEM.

MRS. ANNA SIMIS OWNS REMAINING PORTION OF THE RIGHT CREATED BY TRAN. 2440.

***** OWNERSHIP CHANGE RESULTED IN A SPLIT. A37-00609E(2.218 CFS) BELONGS TO LEE WITH 168 ACRES. A37-00609F(.15 CFS) BELONGS TO CHAMBERS WITH 22 ACRES.

15. Basis of Claim: Decreed



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

DEPT INTERNET WEB SITE: www/idwr.state.id.us

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 10, 2002

DORTHY BORNEMAN
2242 E 1700 S
GOODING ID 83330

RE: CHANGE OF OWNERSHIP ANALYSIS FOR 37-609E

Dear Dorothy

It will probably require an office visit to completely describe all that I have identified through my initial review of the rights involved in the property you own but I will attempt to explain it in this letter.

The first thing I found was that the change of ownership that split 37-609 into 37-609E and 37-609F was incorrectly data entered. The record specialist incorrectly identified the Chambers property in the SENE of section 4. I have amended the records to reflect the correct location. I have enclosed copies of the Lee and Chambers claims for your review.

Please note in the attachment that I identify water rights with specific parcels in the top section for allocation records and the bottom for adjudication records. Following that page is a table that shows the place of use listing as shown on the rights after the first change of ownership in black and the modifications that I made in red. Also shown in the table is a row identified as GIS. The acres listed in that row represent acres that appear to be irrigated in the infrared aerial photography. Please note that I found more irrigated acres than claimed in nearly each quarter/quarter. Once the ownership change is completed, we can discuss amending your claim to identify the correct acreage that should be recommended.

I have reviewed the warranty deeds and for the ground covered by 37-609E and they are sufficient to track the changes in ownership from Kenneth Lee to Dorothy Borneman. It is my understanding that you wish the ownership change be completed at this time based upon the existing documentation. Before I do that I need you to complete and sign a change of ownership form (enclosed). I also wanted you to have the opportunity to review the changes that I made before any further action.

5-10-2002
Comptroller

I did not find any private water rights for the other farm that is located in Section 27. If you understand that there are additional rights besides Big Wood canal shares then we need to discuss this further.

Included in the package of information you provided to me were the following domestic/stockwater rights that are in the Dorothy Borneman name.

37-11027	former owner = Russell Czaplicki
37-11100	former owner = Kenneth Lee
37-10784	no former owner

If there are no additional domestic rights under Kenneth Lee's name that need an ownership change, then nothing needs to be done until the trust documents are completed.

As I have kept the warranty deed copies, all you have to do to complete the change of ownership for 37-609E is to complete the ownership form and return it to the office, attn Kelly K Christensen.

If you want to have another meeting to discuss my findings please give me a call and we can set up a time that is convenient for all of us.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchriste@idwr.state.id.us

enclosures

Water right records

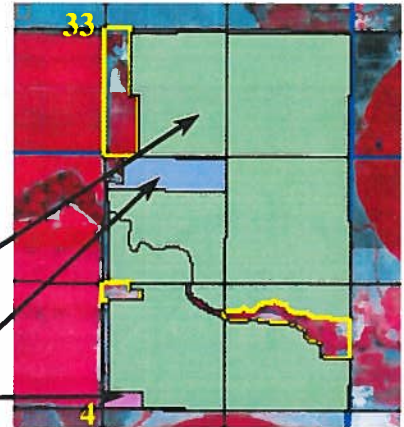
37-609
2.90 cfs

37-609A
0.43 cfs

37-609B
2.47 cfs 227 ac

37-609C
0.20 cfs 12 ac

37-609D
0.21 cfs



The historical place of use appears to be ground in Sec 3 but the right is apparently owned by Big Wood Canal Company and tied into a permissible place of use as an unrecorded place of use.

As claimed in the adjudication process

37-609
2.37 cfs

45-690B
0.20 cfs 11 ac

45-690D
0.2 cfs

45-13043
Big Wood Canal Co.

37-609E
2.22 cfs 168 ac
Kenneth Lee

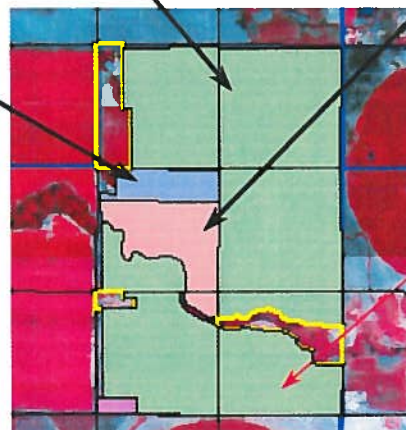
37-609E and F represent
portions of water right
37-609B

37-609F
0.15 cfs 22 ac
Chambers

The map attached to 45-690B indicates a square place of use that covers a portion of the claimed place of use for 37-609F. The purple place of use represents a portion of water right 37-609C.

The 1995 ownership split incorrectly identified the SENE quarter as the place of use. Records were changed 5-10-2002 to reflect the area in the W $\frac{1}{2}$ NE $\frac{1}{4}$ of sec 4.

37-609D was claimed within a combined right 37-13043. The claim indicates that there was an unrecorded transfer. The historical place of use was not specifically identified in water rights records but was apparently in Section 3.



				NE				NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	37-609		33															28	38	66
GIS			33															29	39	68
	37-609E		33															28	38	66
CLAIM	37-609		4	38	20	33	33													124
GIS			4	40	29	37	33													139
CLAIM	37-609E		4	38	20	33	11													102
CLAIM	37-609F		4				22													22
CLAIM																				
GIS																				
RECOM																				

The acres crossed out represent the place of use as created through the change of ownership that was data entered in 1995. After reviewing the files I found that the record specialist incorrectly identified the place of use. The acreage shown in red are the correct acres by quarter/quarter. A preliminary place of use was generated in arcview and the found acres are identified through the GIS rows. The acres listed represent an initial cut based upon map information only and the actual place of use may be slightly different once a field verification of the place of use is conducted.

I am modifying 37-609E and 37-609F to reflect this additional information. The actual irrigated ground as identified in GIS is not being addressed at this time.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

04/08/2002

WATER RIGHT NO. 37-11027

<u>Owner Type</u>	<u>Name and Address</u>
Current 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: Beneficial Use

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>Volume</u>
STOCKWATER	1/01	12/31	0.09 CFS	

DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.09 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 27	Township 05S	Range 15E	GOODING County
-----------------	--------	------------	-----------------	--------------	-------------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acr
05S	15E	27		SESE							

Place of Use Legal Description: DOMESTIC GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acr
05S	15E	27		SESE							

Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	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:

Other Information:

Microsoft OLE DB Provider for SQL Server error '80040e37'

Invalid object name 'xrCombinedLimitsPhysRight'.

/apps/ExtSearch/RightReportAJ.asp, line 1722

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

04/08/2002

WATER RIGHT NO. 37-11100

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOROTHY BORNEMAN 2242 E 1700 S GOODING, ID 83330 (208)934-5098
Original Owner	KENNETH JAMES LEE 1959 E1550 S GOODING, ID 83330 (208)934-5018

Priority Date: 06/01/1910

Basis: Beneficial Use

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>Volume</u>
-----------------------	-------------	-----------	-----------------------	---------------

STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 04	Township 06S	Range 15E	GOODING County
-----------------	--------	------------	-----------------	--------------	-------------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Ac
06S	15E	4		SWNE							

Place of Use Legal Description: DOMESTIC GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Ac
06S	15E	4		SWNE							

Conditions of Approval:

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

	BENEFICIAL USE.
--	-----------------

Remarks:

1. Explanatory	STOCKWATER 30 RANGE COWS PARCEL NO. RP 06S15E041425
----------------	--

Dates:

Other Information:

Microsoft OLE DB Provider for SQL Server error '80040e37'

Invalid object name 'xrCombinedLimitsPhysRight'.

/apps/ExtSearch/RightReportAJ.asp, line 1722

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

04/08/2002

WATER RIGHT NO. 37-10784

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOROTHY BORNEMAN
Current Owner	FRANK A BORNEMAN 2242 E 1700 S GOODING, ID 83330 (208)934-5098

Priority Date: 03/24/1907

Basis: Beneficial Use

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>Volume</u>
STOCKWATER	1/01	12/31	0.04 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 26	Township 05S	Range 15E	GOODING County
-----------------	--------	------------	-----------------	--------------	-------------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	26		SESW							

Place of Use Legal Description: DOMESTIC GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	26		SESW							

Conditions of Approval:

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

Remarks:

1.	Explanatory	PARCEL NO. RP05S15E265400A STOCK WATER, 100 SHEEP, 15 RANGE
----	-------------	---

Dates:

Other Information:

Microsoft OLE DB Provider for SQL Server error '80040e37'

Invalid object name 'xrCombinedLimitsPhysRight'.

/apps/ExtSearch/RightReportAJ.asp, line 1722

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-609E

WATER RIGHT NUMBER: 37-609E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH JAMES LEE 1959 E 1550 S GOODING, ID 83330 (208)934-5018

Priority Date: 04/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.218 CFS	
<u>Total Diversion:</u>		2.220 CFS	

Location of Point(s) of Diversion

LITTLE WOOD RIVER	SE1/4NW1/4SW1/4	Sec. 3, Twp 06S, Rge 15E, B.M.
GOODING County		
LITTLE WOOD RIVER	SE1/4SW1/4SE1/4	Sec. 33, Twp 05S, Rge 15E, B.M.
GOODING County	(Rediversion)	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05S	15E	33	38.0	20.0	33.0	11.0	66.0
06S	15E	4	38.0	20.0	33.0	11.0	102.0
Total Acres: 168			38	11	33	37	

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-609E

1. General THIS CLAIM CONSTITUTES MOST OF RT FORMED BY TRANS. 2440.(37-0609B WATER FOR LEE PROPERTY IS DIVERTED FROM THE SLOUGH DITCH AT THE POINT SHOWN AS REDIVERSION AND PUMPED VIA A 75 HP AND A 40 HP PUMP TO SPRINKLER SYSTEM.
MRS. ANNA SIMIS OWNS REMAINING PORTION OF THE RIGHT CREATED BY TRAN. 2440.
***** OWNERSHIP CHANGE RESULTED IN A SPLIT.
A37-00609E(2.218 CFS) BELONGS TO LEE WITH 168 ACRES. A37-00609F(.15 CFS) BELONGS TO CHAMBERS WITH 22 ACRES.

Comments:Dates and Other Information:

Claim Received Date: E
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: 0
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan:

WARRANTY DEED

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 DORNEMAN, 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)

GARMS
JR
to
DORNEMAN

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, per-
sonally 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. Gourell

Notary Public
Idaho.

Residing at Gooding

STATE OF IDAHO COUNTY OF GOODING

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

34 min. past 10 o'clock A. M. this 12
June, 1992 per *John A. Myers*

JOHN A. MYERS Recorder

By *Christa Sells* Deputy

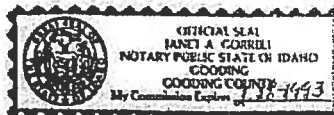


EXHIBIT "A"

PARCEL NO. 1

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

Section 27: E½SE¼; SW¼SE¼ EXCEPT a tract of land in the SW¼SE¼ described as follows:

Beginning at the Southwest corner of said SW¼SE¼;
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: NW¼SE¼;

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 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 N. 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)

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)

WHEN RECORDED MAIL TO:
FRANK A. BORNEMAN, TRUSTEE
DOROTHY E. BORNEMAN, TRUSTEE
2242 E. 1700 S.
GOODING, IDAHO 83330

EXECUTOR'S DEED

THIS INDENTURE WITNESSETH:

THAT GARY GARMS, EXECUTOR OF THE ESTATE OF HERBERT GARMS, (also known as Herbert A. Garms, Jr and Herb Garms) Deceased, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey to FRANK A. BORNEMAN and DOROTHY E. BORNEMAN, as Trustees of the Frank and Dorothy Borneman Trust, dated November 22, 1993 all of the right, title and interest which the decedent had at the time of h/s death and all of the right, title and interest that the estate may have subsequently acquired by operation of law, or otherwise, in and to the real property situate in the County of Gooding, State of Idaho, more particularly described as follows:

SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

Reference is hereby made to the Order Authorizing Exchange of Real Property located in States of Idaho and Oregon for real property in the State of Nevada rendered by the Second Judicial District Court of the State of Nevada in and for the County of Washoe, made and entered on the 2nd day of August, 1994, that Notice was given and the proceeding had, in the Matter of the Estate of HERBERT GARMS, Deceased, Case No. CV93-01507, Dept. No. 8 of said Court, copy of which is attached as Exhibit "B" hereto and incorporated herein by reference, and this Deed is given pursuant to said proceedings and Order.

IN WITNESS WHEREOF, this 30th day of January 1995.

Gary Garms
GARY GARMS,
Executor of the Estate of
HERBERT GARMS, Deceased

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)



This instrument was acknowledged before me on the 30th day of January 1995, by GARY GARMS, Executor of the Estate of Herbert Garms, Deceased.

Judy A. Coclich
NOTARY PUBLIC
(My Commission Expires: 10-3-95)

160241

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Paul Tiller & Escrow
47 min. past 4 o'clock P.m. this 14
of Feb 1995 30.00
HELEN A. PAOLI, Recorder
By Christa Sides Deputy

EXHIBIT 'A'

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:

Beginning at the Northwest corner of said Lot 2;
Thence East, 1320 feet;
Thence South 365.5 feet;
Thence West, 1320 feet parallel to the North line
of said Lot 2;
Thence North 365.5 feet to THE POINT OF BEGINNING.

(Sometimes referred to as the South 29.35 acres of
Lot 2.)

That part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of the Little
Wood River.

SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described
parcel of land:

Beginning at the Southwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence East, 435 feet;
Thence North, 170 feet;
Thence West, 435 feet;
Thence South 170 feet to THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PART OF LOT 2 AND SW $\frac{1}{4}$ NE $\frac{1}{4}$
LYING NORTH OF THE MIDDLE OF THE LITTLE WOOD RIVER
IN SECTION 4, TOWNSHIP 6 SOUTH, RANGE 15, EAST OF
THE BOISE MERIDIAN.

PARCEL NO. 2

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

Section 33: S $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT tract described as follows:

Beginning at the South quarter corner of said
Section 33;
Thence East along the South boundary of said
Section 33, 378.00 feet;
Thence North parallel with the West boundary of the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, 650.00 feet;
Thence West, 70.00 feet;
Thence West along the North boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
300.00 feet to the Northwest corner of said
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South along the West boundary of said
SW $\frac{1}{4}$ SE $\frac{1}{4}$, 1320.00 feet more or less to THE POINT
OF BEGINNING.

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 4: Lot 1 and that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of
the Little Wood River.

QUITCLAIM DEED

For Value Received

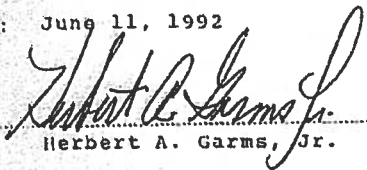
HERBERT A. GARMS, JR., an unmarried man
dealing in his sole and separate property

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

HERB GARMS, an unmarried man
whose address is: P.O. Box 12277, Reno, Nevada 89510Hereinafter called the grantee, the following described premises, in Gooding County, Idaho
to-wit:SEE ATTACHED EXHIBIT "A"
(containing one page)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

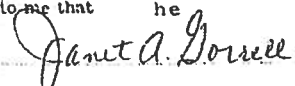
Dated: June 11, 1992


Herbert A. Garms, Jr.

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
Commission expires: 2-28-1993

Idaho.

149048

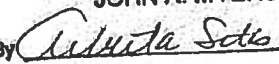
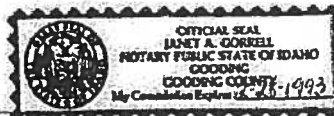
STATE OF IDAHO COUNTY OF GOODING

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

33 min. past 10 o'clock A. M. this 12

June, 1992

JOHN A. MYERS Recorder

By  Deputy

Instrument No.

PARCEL NO. 1

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:

Beginning at the Northwest corner of said Lot 2;
Thence East, 1320 feet;
Thence South 365.5 feet;
Thence West, 1320 feet parallel to the North line
of said Lot 2;
Thence North 365.5 feet to THE POINT OF BEGINNING.

(Sometimes referred to as the South 29.35 acres of
Lot 2.)

That part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of the Little
Wood River.

SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described
parcel of land:

Beginning at the Southwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence East, 435 feet;
Thence North, 170 feet;
Thence West, 435 feet;
Thence South 170 feet to THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PART OF LOT 2 AND SW $\frac{1}{4}$ NE $\frac{1}{4}$
LYING NORTH OF THE MIDDLE OF THE LITTLE WOOD RIVER
IN SECTION 4, TOWNSHIP 6 SOUTH, RANGE 15, EAST OF
THE BOISE MERIDIAN.

PARCEL NO. 2

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

Section 33: S $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT tract described as follows:

Beginning at the South quarter corner of said
Section 33;
Thence East along the South boundary of said
Section 33, 378.00 feet;
Thence North parallel with the West boundary of the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, 650.00 feet;
Thence West, 78.00 feet;
Thence North parallel with the said West boundary
of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 670.00 feet more or less to the
North boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence West along the North boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
300.00 feet to the Northwest corner of said
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South along the West boundary of said
SW $\frac{1}{4}$ SE $\frac{1}{4}$, 1320.00 feet more or less to THE POINT
OF BEGINNING.

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 4: Lot 1 and that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of
the Little Wood River.

TOGETHER WITH all water and water rights, ditches and ditch rights
used thereon or appurtenant thereto, including but not limited to
25.00 shares of Big Wood Canal Company water and 110.91 Miners
Inches of Little Wood River Decreed Rights, Priority Date April 1,
1884, being part of State Water Right Number 37-0609.

THIS BLANK FURNISHED BY *Lead Title and Escrow, Inc.*

DEED

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 94556 grantee, the following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A"
(containing two pages)

Damian LTD to Garms Jr

140835

STATE OF IDAHO, COUNTY OF GOODING

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

21 min. past 1 o'clock P. M. this 7
of May, 1990 June 1990

JOHN A. LAYERS, Recorder

By Helen K. Pratt Deputy

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.

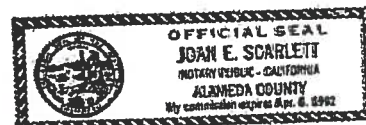
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Joan E. Scarlett
Notary Public

Residing at Castro Valley
4-6-90

Notary Public

California



PARCEL NO. 1

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:

Beginning at the Northwest corner of said Lot 2;
Thence East, 1320 feet;
Thence South 365.5 feet;
Thence West, 1320 feet parallel to the North line
of said Lot 2;
Thence North 365.5 feet to THE POINT OF BEGINNING.

(Sometimes referred to as the South 29.35 acres of Lot 2.)

That part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of the Little Wood River.

SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

Beginning at the Southwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence East, 435 feet;
Thence North, 170 feet;
Thence West, 435 feet;
Thence South 170 feet to THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PART OF LOT 2 AND SW $\frac{1}{4}$ NE $\frac{1}{4}$ LYING NORTH OF THE MIDDLE OF THE LITTLE WOOD RIVER IN SECTION 4, TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN.

PARCEL NO. 2

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

Section 33: S $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT tract described as follows:

Beginning at the South quarter corner of said Section 33;
Thence East along the South boundary of said Section 33, 378.00 feet;
Thence North parallel with the West boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 660.00 feet;
Thence West, 78.00 feet;
Thence North parallel with the said West boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 670.00 feet more or less to the North boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence West along the North boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 300.00 feet to the Northwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South along the West boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 1320.00 feet more or less to THE POINT OF BEGINNING.

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 4: Lot 1 and that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of the Little Wood River.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 25.00 shares of Big Wood Canal Company water and 110.91 Miners Inches of Little Wood River Decreed Rights, Priority Date April 1, 1884, being part of State Water Right Number 37-0609.

SUBJECT TO THE FOLLOWING:

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

Assessments of decreed water from Little Wood River.

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.

Deed of Right of Way by and between S. V. Hunt and Nannie Hunt, husband and wife, parties of the first part, and the Big Wood Canal Company, a corporation, party of the second part, dated November 23, 1922, recorded December 1, 1922 in Book 17 Page 203 as Instrument Number 32390, Gooding County records, wherein a ditch owned by the second party known as the "Silver Slough ditch" located on a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 6 South, Range 15, East Boise Meridian, land owned by first parties, shall be altered so that its course shall be made more direct and the lands of the first parties thereby conserved; and also that certain new ditches shall be laid out and built upon said land of first parties. First parties further grant the right of ingress and egress for the purpose of altering, constructing, repairing and maintaining said ditches, together with the use of the adjoining lands necessary therefor.

Power Line Easement given by Sam Simis and Anna Simis, husband and wife, to Idaho Power Company, a corporation, dated November 23, 1964, recorded May 4, 1965, as Instrument No. 44608, Gooding County records affecting a portion of Section 33, Township 6 South, Range 15, East Boise Meridian.

Power Line Easement given by Kenneth James Lee, a single man, and Anna Simis, a widow, to John F. Chambers and Nancy D. Chambers, husband and wife, dated December 15, 1989, recorded December 22, 1989 as Instrument Number 139153, Gooding County records affecting a portion of Section 4, Township 6 South, Range 15, East Boise Meridian.

THIS BLANK FURNISHED BY *Lead Title and Escrow, Inc.*

DEED

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. CARMS, JR., a married man dealing in his sole and separate property, whose address is: 5960 Inglewood Drive, Pleasanton, CA 94556
grantee, the following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A"
(containing two pages)

2nd
copy

140835

STATE OF IDAHO, COUNTY OF GOODING

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

21 min. past 1 o'clock P.M. this 7
of May 1990 June 1990

JOHN A. MAYERS, Recorder

By Helmut K. Pratt Deputy

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

STATE OF California
County of Alameda

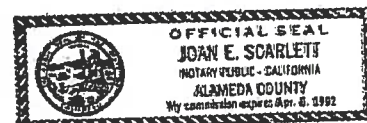
On this 13th day of April, 1990
before me, a Notary public in and for said State, personally
appeared ANTHONY B. VARNI and

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
4692

California



PARCEL NO. 1

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:

Beginning at the Northwest corner of said Lot 2:
Thence East, 1320 feet;
Thence South 365.5 feet;
Thence West, 1320 feet parallel to the North line
of said Lot 2;
Thence North 365.5 feet to THE POINT OF BEGINNING.

(Sometimes referred to as the South 29.35 acres of Lot 2.)

That part of the SE~~X~~NE~~X~~ lying South of the Little Wood River.

SW~~X~~NE~~X~~, EXCEPTING THEREFROM the following described parcel of land:

Beginning at the Southwest corner of the SW~~X~~NE~~X~~:
Thence East, 435 feet;
Thence North, 170 feet;
Thence West, 435 feet;
Thence South 170 feet to THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PART OF LOT 2 AND SW~~X~~NE~~X~~ LYING NORTH OF THE MIDDLE OF THE LITTLE WOOD RIVER IN SECTION 4, TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN.

PARCEL NO. 2

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

Section 33: S~~X~~SE~~X~~, EXCEPT tract described as follows:

Beginning at the South quarter corner of said Section 33:
Thence East along the South boundary of said Section 33, 378.00 feet;
Thence North parallel with the West boundary of the S~~X~~SE~~X~~, 660.00 feet;
Thence West, 78.00 feet;
Thence North parallel with the said West boundary of the S~~X~~SE~~X~~, 670.00 feet more or less to the North boundary of the S~~X~~SE~~X~~;
Thence West along the North boundary of the S~~X~~SE~~X~~, 300.00 feet to the Northwest corner of said S~~X~~SE~~X~~;
Thence South along the West boundary of said S~~X~~SE~~X~~, 1320.00 feet more or less to THE POINT OF BEGINNING.

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 4: Lot 1 and that part of the SE~~X~~NE~~X~~ lying North of the Little Wood River.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 25.00 shares of Big Wood Canal Company water and 110.91 Miners Inches of Little Wood River Decreed Rights, Priority Date April 1, 1884, being part of State Water Right Number 37-0609.

SUBJECT TO THE FOLLOWING:

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

Assessments of decreed water from Little Wood River.

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.

Deed of Right of Way by and between S. V. Hunt and Nannie Hunt, husband and wife, parties of the first part, and the Big Wood Canal Company, a corporation, party of the second part, dated November 23, 1922, recorded December 1, 1922 in Book 17 Page 203 as Instrument Number 32390, Gooding County records, wherein a ditch owned by the second party known as the "Silver Slough ditch" located on a portion of the SEKNEK of Section 4, Township 6 South, Range 15, East Boise Meridian, land owned by first parties, shall be altered so that its course shall be made more direct and the lands of the first parties thereby conserved; and also that certain new ditches shall be laid out and built upon said land of first parties. First parties further grant the right of ingress and egress for the purpose of altering, constructing, repairing and maintaining said ditches, together with the use of the adjoining lands necessary therefor.

Power Line Easement given by Sam Simis and Anna Simis, husband and wife, to Idaho Power Company, a corporation, dated November 23, 1964, recorded May 4, 1965, as Instrument No. 44608, Gooding County records affecting a portion of Section 33, Township 6 South, Range 15, East Boise Meridian.

Power Line Easement given by Kenneth James Lee, a single man, and Anna Simis, a widow, to John F. Chambers and Nancy D. Chambers, husband and wife, dated December 15, 1989, recorded December 22, 1989 as Instrument Number 139153, Gooding County records affecting a portion of Section 4, Township 6 South, Range 15, East Boise Meridian.

FURNISHED BY *Land Title and Escrow, Inc.*

WARRANTY DEED

For Value Received KENNETH JAMES LEE, an unmarried man

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

DAMIAN, LTD., a California Corporation
 whose address is: 22771 Main Street, Box 570,
 Hayward, CA 94553-0570

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

SEE ATTACHED EXHIBIT "A"
 (containing two pages)

See to
 Damian
 LTD

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: April 10, 1990

Kenneth James Lee
 Kenneth James Lee

STATE OF IDAHO, COUNTY OF GOODING

On this 10th day of April, 19 90
 before me, a notary public in and for said State, personally appeared

Kenneth James Lee

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. Gornell
 Notary Public

Residing at Gooding, Idaho.

140498

STATE OF IDAHO, COUNTY OF GOODING

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

59 min past 2 o'clock P.M. this 16

of April, 1990 Fee \$9.00

JOHN A. MYERS, Recorder

Helen K. Pratt Deputy



PARCEL NO. 1

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:

Beginning at the Northwest corner of said Lot 2;
Thence East, 1320 feet;
Thence South 365.5 feet;
Thence West, 1320 feet parallel to the North line
of said Lot 2;
Thence North 365.5 feet to THE POINT OF BEGINNING.

(Sometimes referred to as the South 29.35 acres of
Lot 2.)

That part of the SE~~X~~NE~~X~~ lying South of the Little
Wood River.

SW~~X~~NE~~X~~, EXCEPTING THEREFROM the following described
parcel of land:

Beginning at the Southwest corner of the SW~~X~~NE~~X~~;
Thence East, 435 feet;
Thence North, 170 feet;
Thence West, 435 feet;
Thence South 170 feet to THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PART OF LOT 2 AND SW~~X~~NE~~X~~
LYING NORTH OF THE MIDDLE OF THE LITTLE WOOD RIVER
IN SECTION 4, TOWNSHIP 6 SOUTH, RANGE 15, EAST OF
THE BOISE MERIDIAN.

PARCEL NO. 2

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

Section 33: S~~X~~SE~~X~~, EXCEPT tract described as follows:

Beginning at the South quarter corner of said
Section 33;
Thence East along the South boundary of said
Section 33, 378.00 feet;
Thence North parallel with the West boundary of the
SW~~X~~SE~~X~~, 650.00 feet;
Thence West, 78.00 feet;
Thence North parallel with the said West boundary
of the SW~~X~~SE~~X~~, 670.00 feet more or less to the
North boundary of the SW~~X~~SE~~X~~;
Thence West along the North boundary of the SW~~X~~SE~~X~~;
300.00 feet to the Northwest corner of said
SW~~X~~SE~~X~~;
Thence South along the West boundary of said
SW~~X~~SE~~X~~, 1320.00 feet more or less to THE POINT
OF BEGINNING.

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 4: Lot 1 and that part of the SE~~X~~NE~~X~~ lying North of
the Little Wood River.

TOGETHER WITH all water and water rights, ditches and ditch rights
used thereon or appurtenant thereto, including but not limited to
25.00 shares of Big Wood Canal Company water and 110.91 Miners
Inches of Little Wood River Decreed Rights, Priority Date April 1,
1884, being part of State Water Right Number 37-0609.

SUBJECT TO THE FOLLOWING:

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

Assessments of decreed water from Little Wood River.

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.

Deed of Right of Way by and between S. V. Hunt and Nannie Hunt, husband and wife, parties of the first part, and the Big Wood Canal Company, a corporation, party of the second part, dated November 23, 1922, recorded December 1, 1922 in Book 17 Page 203 as Instrument Number 32390, Gooding County records, wherein a ditch owned by the second party known as the "Silver Slouch ditch" located on a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 6 South, Range 15, East Boise Meridian, land owned by first parties, shall be altered so that its course shall be made more direct and the lands of the first parties thereby conserved; and also that certain new ditches shall be laid out and built upon said land of first parties. First parties further grant the right of ingress and egress for the purpose of altering, constructing, repairing and maintaining said ditches, together with the use of the adjoining lands necessary therefor.

Power Line Easement given by Sam Simis and Anna Simis, husband and wife, to Idaho Power Company, a corporation, dated November 23, 1964, recorded May 4, 1965, as Instrument No. 44608, Gooding County records affecting a portion of Section 33, Township 5 South, Range 15, East Boise Meridian.

Power Line Easement given by Kenneth James Lee, a single man, and Anna Simis, a widow, to John F. Chambers and Nancy D. Chambers, husband and wife, dated December 15, 1989, recorded December 22, 1989 as Instrument Number 139153, Gooding County records affecting a portion of Section 4, Township 6 South, Range 15, East Boise Meridian.

WARRANTY DEED

For Value Received KENNETH JAMES LEE, an unmarried man

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

DAMIAN, LTD., a California Corporation
 whose address is: 22771 Main Street, Box 570,
 Hayward, CA 94553-0570

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

SEE ATTACHED EXHIBIT "A"
 (containing two pages)

2nd
 copy

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: April 10, 1990

Kenneth James Lee
 Kenneth James Lee

STATE OF IDAHO, COUNTY OF GOODING

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 before me, a notary public in and for said State, personally appeared

Kenneth James Lee

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
 Janet A. Correll

Notary Public

Residing at Gooding

Idaho.

140498

STATE OF IDAHO, COUNTY OF GOODING

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

59 min. past 2 o'clock P. M. this 16
 of April 1990 Fee \$9.00

JOHN A. MYERS, Recorder

William K. Pratt Deputy



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EXCEPTING THEREFROM THAT PART OF LOT 2 AND SW $\frac{1}{4}$ NE $\frac{1}{4}$
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IN SECTION 4, TOWNSHIP 6 SOUTH, RANGE 15, EAST OF
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PARCEL NO. 2

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GOODING COUNTY, IDAHO

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Thence East along the South boundary of said
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SW $\frac{1}{4}$ SE $\frac{1}{4}$, 650.00 feet;
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North boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
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TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

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WHEN RECORDED MAIL TO:
FRANK A. BORNEMAN, TRUSTEE
DOROTHY E. BORNEMAN, TRUSTEE
2242 E. 1700 S.
GOODING, IDAHO 83330

EXECUTOR'S DEED

THIS INDENTURE WITNESSETH:

THAT GARY GARMS, EXECUTOR OF THE ESTATE OF HERBERT GARMS, (also known as Herbert A. Garms, Jr and Herb Garms) Deceased, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey to FRANK A. BORNEMAN and DOROTHY E. BORNEMAN, as Trustees of the Frank and Dorothy Borneman Trust, dated November 22, 1993 all of the right, title and interest which the decedent had at the time of his death and all of the right, title and interest that the estate may have subsequently acquired by operation of law, or otherwise, in and to the real property situate in the County of Gooding, State of Idaho, more particularly described as follows:

SEE EXHIBIT 'A' ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

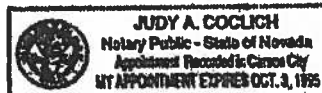
Reference is hereby made to the Order Authorizing Exchange of Real Property located in States of Idaho and Oregon for real property in the State of Nevada rendered by the Second Judicial District Court of the State of Nevada in and for the County of Washoe, made and entered on the 2nd day of August, 1994, that Notice was given and the proceeding had, in the Matter of the Estate of HERBERT GARMS, Deceased, Case No. CV93-01507, Dept. No. 8 of said Court, copy of which is attached as Exhibit "B" hereto and incorporated herein by reference, and this Deed is given pursuant to said proceedings and Order.

IN WITNESS WHEREOF, this 30th day of January 1995.

Gary Garms
GARY GARMS,
Executor of the Estate of
HERBERT GARMS, Deceased

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF NEVADA)
) ss.
COUNTY OF DOUGLAS)



This instrument was acknowledged before me on the 30th day of January 1995, by GARY GARMS, Executor of the Estate of Herbert Garms, Deceased.

Judy A. Coclich
NOTARY PUBLIC

(My Commission Expires: 10-3-95)

160241

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Co
47 min. past 4 o'clock PM this 14
of Feb 1995 30.00
HELEN A. PAOLI, Recorder
By Christa Sides Deputy

EXHIBIT 'A'

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

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THE BOISE MERIDIAN.

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GOODING COUNTY, IDAHO

Section 4: Lot 1 and that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of
the Little Wood River.

QUITCLAIM DEED

For Value Received

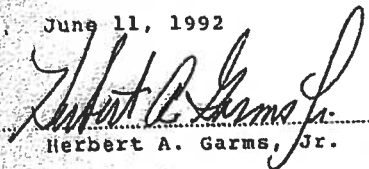
HERBERT A. GARMS, JR., an unmarried man
dealing in his sole and separate property

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

HERB GARMS, an unmarried man
whose address is: P.O. Box 12277, Reno, Nevada 89510Hereinafter called the grantee, the following described premises, in Gooding County, Idaho
to-wit:SEE ATTACHED EXHIBIT "A"
(containing one page)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

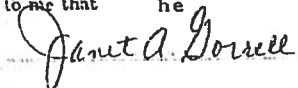
Dated: June 11, 1992


Herbert A. Garms, Jr.

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

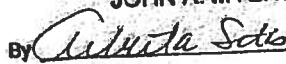
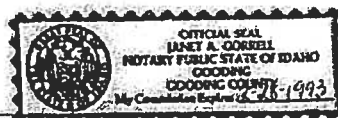
149048

STATE OF IDAHO COUNTY OF GOODING

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

33 min. past 10 o'clock A.M. this 12
June, 1992

JOHN A. MYERS Recorder

By  Deputy

Instrument No.

PARCEL NO. 1

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

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Inches of Little Wood River Decreed Rights, Priority Date April 1,
1884, being part of State Water Right Number 37-0609.

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: **A37-00609E**
Date Received: 8/25/1988
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: KENNETH JAMES LEE 208-934-5018
Address: 1959 E 1550 S
GOODING ID 83330

2. Date of Priority: APR 1, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	33	SE	SW	SE	R	GOODING
06S	15E	3	SE	NW	SW		GOODING

5. Description of diverting works:
CONCRETE AND DDROP BOARD DIVERSION TO SLOUGH DITCH (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.218		

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

8. Total consumptive use is 533.9 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	33	SW	SE		IRR	28.0
			SE	SE		IRR	38.0

MICROFILMED
NOV 22 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	66.0
06S	15E	4	NE	NE	1	IRR 38.0
			NW	NE	2	IRR 20.0
			SW	NE		IRR 33.0
			SE	NE		IRR 11.0
					Section Acres	102.0
					Total Acres	168.0

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:

37.7"A. F. SUPP. 29.9 IN. CAREY ACT A.F.

14. Remarks:

THIS CLAIM CONSTITUTES MOST OF RT FORMED BY TRANS. 2440.(37-0609B WATER FOR LEE PROPERTY IS DIVERTED FROM THE SLOUGH DITCH AT THE POINT SHOWN AS REDIVERSION AND PUMPED VIA A 75 HP AND A 40 HP PUMP TO SPRINKLER SYSTEM.

MRS. ANNA SIMIS OWNS REMAINING PORTION OF THE RIGHT CREATED BY TRAN. 2440.

OWNERSHIP CHANGE RESULTED IN A SPLIT. A37-00609E(2.218 CFS) BELONGS TO LEE WITH 168 ACRES. A37-00609F(.15 CFS) BELONGS TO CHAMBERS WITH 22 ACRES.

15. Basis of Claim: DECREED

Case Number:

Court : FOURTH

Decree date: 12/13/1909

S.C. FROST ET. AL.
Decree Plaintiff

ALTURAS WATER CO. ET. AL.
vs Decree Defendant

MICROFILMED
NOV 22 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: DEC 20, 1989

RECEIVED
SEP 01 1993
Department of Water Resources
Southern Region Office

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

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: 37-00609-B
- [] Name and Address of Former Owner/Claimant(s)(Seller): KENNETH JAMES LEE
GOODING, IDAHO 83330
- [] New Owner/Claimant (Purchaser): JOHN F. CHAMBERS
- [] New Mailing Address: 1822 So 2050 EAST
GOODING IDAHO 83330
- [] New Telephone Number: (208) 934 - 8827
- [] Does the change in ownership result in a splitting of the water right owned/claimed? X yes ___ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
22.7 SHARES BIG WOOD CANAL CO. AND AMERICAN FALLS RESERVIOR DIST #2

- [] Attach proof of ownership, describe proof attached: WARRANTY DEED G-16339
(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) John F Chambers Date 6-28-93
- [] Signature of Former Owner/Claimant(s): _____ 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: 7/13/95 By: HB

Further Action Needed:

Need information on
Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 7/13/95 By: HB

Claim Numbers of Split, if any:

8795 HB 137-00609E-1B1000F

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

MICROFILMED
NOV 22 1996

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent TARA BACKLUND

CUSTOMER
August 3, 1995 2:58pm CHAMBERS

SUBJECT: A37-00609

phone call (.) walk-in (X)

HE CAME IN REGARDS TO A LETTER I SENT HIM ABOUT AN OWNERSHIP CHANGE AND TRIED TO GIVE ME INFORMATION TO CLARIFY HOW HE WANTED IT SPLIT. I TOLD HIM THAT I NEEDED TO KNOW HOW MUCH WATER HE WANTED SPLIT AND ALSO HOW MANY ACRES. HE BROUGHT EVERYTHING ELSE BUT THAT. HE KNEW WHERE IT WAS AT AND WOULD BRING IT IN NEXT WEEK. HE THEN WANTED TO KNOW WHAT HAD TO BE DONE TO OUT A PUMP IN TO THE RIVER TO WATER HIS 100' YARD. I HAD TALK TO JEANIE.

MICROFILMED
NOV 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

AUGUST 7, 1995

JOHN CHAMBERS
1822 SOUTH 2050 EAST
GOODING, ID 83330

RE: SRBA CLAIM A37-00609 SPLIT
LEE
A37-00609E (LEE) A37-00609F (CHAMBERS)

DEAR CLAIMANT:

PURSUANT TO THE NOTIFICATION THAT YOUR CLIENT HAS PURCHASED
PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE
CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY
IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS
OFFICE.

SINCERELY,

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

CC: KENNETH JAMES LEE, 1959 EAST 1550 SOUTH, GOODING, ID 83330

MICROFILMED
NOV 22 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00609
Date Received: 8/25/1988
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH JAMES LEE 208-934-5018
Address: 1959 E. 1550 S.
GOODING, ID 83330

2. Date of Priority: APR 01, 1884

3. Source: LITTLE 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	15E	33	SE	SW	SE	R	GOODING
06S	15E	3	SE	NW	SW		GOODING

5. Description of diverting works:
CONCRETE AND DDROP BOARD DIVERSION TO SLOUGH DITCH (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.368		

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

8. Total consumptive use is 570.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	15E	33	SW	SE		IRR	28.0
			SE	SE		IRR	38.0
Section Acres							66.0

A37-00609

Page 1

Date: 08/25/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	15E	4	NE	NE	1	IRR	38.0
			NW	NE	2	IRR	20.0
			SW	NE		IRR	33.0
			SE	NE		IRR	33.0
						Section Acres	124.0
						Total Acres	190.0

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:

37.7"A. F. SUPP. 29.9 IN. CAREY ACT A.F.

14. Remarks:

THIS CLAIM CONSTITUTES MOST OF RT FORMED BY TRANS. 2440.(37-0609B
WATER FOR LEE PROPERTY IS DIVERTED FROM THE SLOUGH DITCH AT
THE POINT SHOWN AS REDIVERSION AND PUMPED VIA A 75 HP AND A 40 HP
PUMP TO SPRINKLER SYSTEM.
MRS. ANNA SIMIS OWNS REMAINING PORTION OF THE RIGHT CREATED
BY TRAN. 2440.

15. Basis of Claim: DECREED

Case Number:

Court : FOURTH

Decree date: 12/13/1909

S.C. FROST ET. AL.
Decree Plaintiff

vs

ALTURAS WATER CO. 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): *Herbert Jones Jr.* Date: *Aug 25, 1988*

Date: _____

State of Idaho)
County of *Twin Falls*) SS.

Subscribed and sworn (or affirmed) before me this *25th* day

of *August* 19 *88*

Roxanne Storey
Notary Public

Seal

Residing at *Buhl, Id*

My Commission Expires *6-30-94*

FEB 23 1993