

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

05/17/2001

WATER RIGHT NO. 37-12122

Owner Type Name and Address
Current Owner DANA L DOWERS
Current Owner ETHEL LYNN DOWERS
 2560 RIVIERA DR
 LAGUNA BEACH, CA 92651
 (949)553-5678

Directors Report Owner EDWARD DALE
 21455 CALLE DEL BARCO
 MALIBU, CA 90265
 (213)613-3360

Priority Date: 09/25/1984
Basis: Beneficial Use
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.04 CFS		

Location of Point(s) of Diversion:

GROUND WATER NENWSE Sec. 35 Township 04N Range 18E BLAINE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	18E	35		NWSE										

Conditions of Approval:

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

Remarks:

- Explanatory PARCEL NO. RP005650000050T

Dates:

Licensed Date:
Claim Received Date: 11/16/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): S003837
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 17, 2001

DANA L DOWERS
ETHEL LYNN DOWERS
2560 RIVIERA DR
LAGUNA BEACH CA 92651

RE: SRBA Claim(s) 37-387B, 37-8252
Decreed Water Right 37-12122

Dear Mr. and Mrs. Dowers:

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

At this time the ownership of claim A37-387A is disputed and as such no owner changes will be processed pending resolution of the disagreements. A copy of the ownership change documents you submitted will be added to this file.

The Idaho legislature has determined no fees can be charged to change ownership on claims in any active adjudication; consequently, I am returning your check number 3695 in the amount of \$175.00. Again, should you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

RECEIVED

APR 13 2001

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

Department of Water Resources
 Southern Region

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
# 37-8252					
# 37-0387					
# 37-00387B					
# 37-00387A					
# A 37-00387A					
# A 37-00387B					
# 37-12122					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. $7 \times \$25.00 = \$175.00$
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) Ted Dale
- 210 Meadowbrook Rd
4. New Owner/Claimant(s) Hailey, Id. 83333
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- DANA Powers
- New Mailing Address 2560 Riviera Dr.
- City, State and ZIP Code Laguna Bch, Ca.
- New Telephone Number HM: (949) 464-1222 WK (949) 553-5678
5. Date you acquired the property MARCH 13, 2001

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

N/A		
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

N/A		
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)


OWNER

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

SVTC Order No. 01-16324

Instrum. # 448882
HAILEY, BLAINE, IDAHO
2001-03-13 04:01:00 No. of Pages: 1
Recorded for: SUN VALLEY TITLE
MARSHA RIEMANN
Ex-Officio Recorder Deputy Fee: 3.00
Index to: WTYQCICORP DEED

WARRANTY DEED

FOR VALUE RECEIVED, and as consideration as part of an IRC § 1031 tax-deferred exchange,

Edward Roberts Dale, Jr. Trustee of The Dale Family Trust dated April 29, 1988

the grantor, does hereby grant, bargain, sell and convey unto

Dana L. Dowers and Ethel Lynn Dowers, Trustees of the Dowers Family Trust established March 6, 1990 as amended and restated April 24, 1999

the grantees, whose current address is **2560 Riviera Dr.
Laguna Beach, CA 92651**

the following described premises, in Blaine County, Idaho, to wit:

Lot 4 of THUNDER MEADOWS SUBDIVISION, BLAINE COUNTY, IDAHO,
according to the official plat thereof, recorded November 27, 1978, as Instrument No. 188954; Amendment of plat recorded September 14, 1992, as Instrument No. 344825, records of Blaine County, Idaho.

Lot 5A of THUNDER MEADOWS SUBDIVISION, REPLAT OF LOTS 5 AND 6A,
recorded January 2, 1996, as Instrument No. 385716, records of Blaine County, Idaho.

This transaction is a 1031 Exchange for the benefit of Dana L. Dowers and Ethel Lynn Dowers, Trustees of the Dowers Family Trust Established March 6, 1990 as amended and restated April 24, 1999, as replacement property.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that it is the owner in fee simple of said premises; that said premises are free from all encumbrances

and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 8, 2001

Edward Roberts Dale, Jr.
Edward Roberts Dale, Jr., Trustee

State of: Idaho

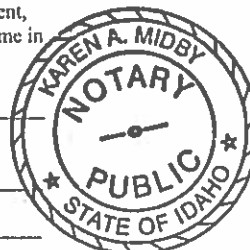
County of: Blaine

On this 9th day of March,
2001, Before me a Notary Public in and for said State,
personally appeared Edward Roberts Dale, JR.,
Trustee of The Dale Family Trust Dated April 29,
1988 known or identified to me to be the person
whose name is subscribed to the within instrument,
and acknowledged to me that he executed the same in
his capacity as Trustee.

Karen A. Midby
Notary Public

Residing at: Hailey, ID.

Comm. Expires: 04/02/06



SVTC Order No. 01-16324

QUITCLAIM DEED

For Value Received Edward Roberts Dale, Jr., Trustee of The Dale Family Trust Dated April 29, 1988

Do hereby convey, release, remise and forever quitclaim unto

Dana L. Dowers and Ethel Lynn Dowers, Trustees of The Dowers Family Trust Established March 6, 1990 as Amended and Restated April 24, 1999

Whose current address is 2560 Riviera Dr.
Laguna Beach, CA 92651

the following described premises, to-wit:

TOGETHER WITH ANY AND ALL WATER RIGHTS INCLUDING BUT NOT LIMITED TO:

0.387 cfs of the East Fork of the Big Wood River with a June 1, 1888 priority date pursuant to Idaho Water Right No. 37-00387A and Claim No. A37-00387A in IN RE the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576, used for the irrigation of 11.93 acres within portions of the S ½ of Section 35, Township 4 North, Range 18 East, B.M., Blaine County, Idaho, known as Thunder Meadows Subdivision.

And

6.34 inches of surface water State ID # 37-0387 priority date June 1, 1888 and
100 inches of non-consumptive State ID # 37-8252 priority June 6, 1986

Located at Lots 4 and 5A Thunder Meadows Subdivision

Together with their appurtenances.

Dated: March 6, 2001

Edward Roberts Dale, Jr., Trustee
Edward Roberts Dale, JR., Trustee

State of: Idaho

County of: Blaine

On this 6th day of March 2001, before me, a Notary Public in and for said State, personally appeared Edward Roberts Dale, JR., Trustee of The Dale Family Trust Dated April 29, 1988 known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Carolyn Baird
Notary Public
Residing at: Hailey

Comm. Expires: 3-14-2003

RECEIVED

APR 13 2001

Department of Water Resources
Southern Region



APR 13 2001

SVTC Order No. 01-16324

Department of Water Resources
Southern Region

QUITCLAIM DEED

For Value Received Edward Roberts Dale, Jr., Trustee of The Dale Family Trust Dated April 29, 1988

Do hereby convey, release, remise and forever quitclaim unto

Dana L. Dowers and Ethel Lynn Dowers, Trustees of The Dowers Family Trust Established March 6, 1990 as Amended and Restated April 24, 1999

Whose current address is 2560 Riviera Dr.
Laguna Beach, CA 92651

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And

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100 inches of non-consumptive State ID # 37-8252 priority June 6, 1986

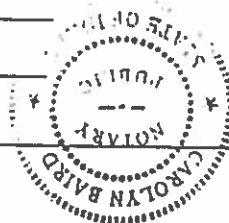
Located at Lots 4 and 5A Thunder Meadows Subdivision

Together with their appurtenances.

Dated: March 6, 2001

Edward Roberts Dale, Jr., Trustee
Edward Roberts Dale, JR., Trustee

COPY

State of: IdahoCounty of: BlaineOn this 6th day of March 2001, before me, a Notary Public in and for said State, personally appeared Edward Roberts Dale, JR., Trustee of The Dale Family Trust Dated April 29, 1988 known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.Carolyn Baird
Notary PublicResiding at: ShuleyComm. Expires: 3-14-2003

March 13, 2001

SUN VALLEY
TITLE
C O M P A N Y



Idaho Department of Water Resources
1341 Filmore
Suite 200
Twin Falls ID 83301

RE: Our Order No. 01-16324
Dowers/Dale

RECEIVED
APR 13 2001
Department of Water Resources
Southern Region

Enclosed please find the following:

Quitclaim Deed
Notice of Change of Water Right Ownership
Letter from Seller
Letter from James E. Stanton

Sincerely,

Carolyn Baird

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

RECEIVED

APR 13 2001

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Water Right Number(s) 37-00387A Claim # A37-00387A, & 6.34 of State ID# 37-0387
and 100 inches of non consumptive ~~water right~~ State ID# 37-8252
Adjudication Claim Number(s) As per Quit Claim Deed including
but not limited to any and all water
rights of property
The following REQUIRED information must be submitted with this form.

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

Name and Address of Former Owner/Claimant(s) Edward Roberts Dale Jr.
Ethel
New Owner/Claimant(s) Dana L. Dowers and Ethel Lynn Dowers, Trustees
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 2560 Riviera Dr
City, State and ZIP Code Laguna Beach CA 92651
New Telephone Number () - -
Date you acquired the property _____

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 10 Number and type of stock 8 Horses

Diversion rate in CFS Number of homes Other uses
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner/Claimant(s) [Signature] Date 3/11/01
[Signature] Date 3-11-01

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

TO: Dana Dowers

From: Ted Dale

It has been brought to my attention that there may be additional water rights appurtenant to the land being purchased from me, over and above the 6.4 miners inches of beneficial use water being deeded to you with the property being purchased. It is my intent to convey to you all of the water rights associated with the property without acknowledging or attesting that the additional water rights actually exist.

If I can assist you in claiming or verifying any additional water rights after you have purchased the property from me, I will gladly do so.

Sincerely

Edward Dale



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 Jim x 227

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 8, 2001

Suzy King
PO Box 332
Ketchum, ID
83340

RE: Your Inquiry RE Water Rights of Ted Dale

Dear Ms. King;

I have reviewed this situation, and have reached the following conclusions:

David Sheridan (Sheridan Development Co.) bought the land now covered by Thunder Meadows Sub. #1 (formerly Triumph Meadows Sub. #1) in 1972 from a California corporation; the purchase included all 200 inches of water decreed under Rt. 37-387. Based on watermaster records, Transfer #3314 was approved in July of 1987 for 6.34 inches of water (rounded to 0.13 cfs) in the name of Ted Dale for use on Lots 4, 5 & 6 (see attached map). You faxed two 1979 quitclaim deeds from Sheridan Development to Catherine & Patrick Madden; the deeds convey 8.0 inches of 6-1-1888 water to the Madden's for use on Lots 4, 5 & 6. So only 6.34 inches of the water conveyed by deed to the Madden's are recorded as being appurtenant to the Dale property of 6.3 acres. The other 1.66 inches is part of the water transferred by Sheridan in 1988 under Transfer #3361, which added a point of diversion and described the historically-irrigated acres covered by his portion of the 387 right. Either Mr. Dale or the new owner could submit a Change of Ownership form to tie the 1.66 inches to the Dale property (the Sheridan claim, 37-387A, would be split). But the Sheridan water and the Dale water have different diversion points, so the additional 1.66 inches (0.033 cfs) would have had to been diverted from the Dale diversion by November of 1987 for a Change of Ownership to be acceptable. If the change of diversion point occurred after that, a water transfer is required.

There is a data-entry error in our water-rights database, as this property is in the NW/SE Sec. 35, not the NW/SW Sec. 35 as shown on the Water Right Report for 37-387B. I will contact our Boise office to correct this error.

Regards,

NOTE: This letter corrects my letter of yesterday.

James E. Stanton
Sr. Water Resource Agent
2087363037 PAGE. 01



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

37-12122
EDWARD DALE
21455 CALLE DEL BARCO
MALIBU CA 90265

RE: Domestic and/or Stockwater Rights in Reporting Area 16, Basin 37
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 37 (the Big Wood River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 37 will be recommended in a later process.

Note that you have 180 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in Hailey, Fairfield, Gooding, Shoshone, Mountain Home, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed as recommended after the 180-day objection period. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

RIGHT NUMBER:	37-12122		
NAME AND ADDRESS:	EDWARD DALE 21455 CALLE DEL BARCO MALIBU CA 90265		
SOURCE:	GROUNDWATER		
QUANTITY:	0.04 CFS		
	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.		
PRIORITY-DATE:	09/25/1984		
POINT OF DIVERSION	T04N R18E S35	NENWSE	Within BLAINE County
PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS
PLACE OF USE:	DOMESTIC	Within BLAINE County	
	T04N R18E S35	NWSE	
OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:			
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.			
EXPLANATORY MATERIAL:	BASIS OF CLAIM - BENEFICIAL USE PARCEL NO. RP005650000050T		

**NOTICE OF DIRECTOR'S REPORT
REPORTING AREA 16, BASIN 37
FOR SMALL DOMESTIC AND STOCK WATER RIGHTS**

INTRODUCTION

This is the Idaho Department of Water Resources' (IDWR) Director's Report for your small domestic and/or stock water right claimed in the Snake River Basin Adjudication (SRBA). The quantity allowed for each small domestic or stock water right is up to 13,000 gallons per day. An additional Director's Report for irrigation and all other state law based claims in your reporting area will be filed with the court at a later date.

IDWR is providing individual reports like this one to all claimants of small domestic and stock water rights in your area. A complete copy of the Director's Report, listing all of these small domestic and stock water rights claimed under both state and federal law, is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

The following instructions and definitions are designed to help you understand this report.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The description of your right which is enclosed is only the Director's recommendation to the SRBA Court on your water right. The Court will decide how it will decree your water right. You are free to agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right and all other small domestic and stock water rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations in the full report are listed in two sections of the report:

- 1) **List of Recommended Water Rights** -- Water right recommendations are listed alphabetically by source and then chronologically by priority date within each source.
- 2) **List of Claims Recommended to Be Disallowed** -- Water rights recommended to be disallowed are listed numerically by water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

Also included in the complete Director's Report are descriptions of the United States' claims for domestic and stockwater under federal law. The Director does not investigate these claims and

makes no recommendation whether they should be granted or not. Sometimes the United States claims one right under both federal and state law. These are called "dual based" claims.

If you want to review someone else's water right you need to look at the complete Director's Report, which is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with a recommendation or a federal water right claim?

If you disagree with any element of the recommendation for your water right or anyone else's water right and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form available from any IDWR office or from the SRBA Court.

Your objection must be received by the SRBA Court on or before **September 10, 1999**.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form available from any IDWR office or from the SRBA Court.

Your response must be received by the SRBA Court on or before **January 10, 2000**.

What do I do if I want to participate in the court case on someone else's water right?

If you want to be involved in the court case on any water right in the Director's Report, you must file either an objection or a response by the dates listed above.

What happens if there are no objections to a water right?

After the deadline for filing objections, IDWR will file a list of all water right recommendations with no objections. The SRBA Court will hear the uncontested recommendations on **November 12, 1999**, at 10:00 A.M. at the SRBA Courthouse. Partial decrees will be issued following this hearing.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations. Additional information regarding domestic and stockwater claims in your area can be found on the SRBA Web Site at www.srba.state.id.us.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA. The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are available at the IDWR southern region office in Twin Falls. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you.

**Snake River Basin Adjudication
District Court**
253 Third Avenue North.
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

Idaho Department of Water Resources
1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

**Idaho Department of Water Resources
Western Region**
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

**Idaho Department of Water Resources
Northern Region**
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 765-1450

**Idaho Department of Water Resources
Southern Region**
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

**Idaho Department of Water Resources
Eastern Region**
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Blaine County Courthouse
1st & Croy St.
Hailey, ID 83333
(208) 788-5525

Camas County Courthouse
501 Solider Rd.
Fairfield, ID 83327
(208) 764-2242

Gooding County Courthouse
624 Main St.
Gooding, ID 83330
(208) 934-4221

Lincoln County Courthouse
111 W. B St.
Shoshone, ID 83352
(208) 886-7641

Elmore County Courthouse
150 S. 4th E.
Mountain Home, ID 83647
(208) 587-2131

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 37.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "groundwater," "unnamed spring," "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY). Each of these small domestic and/or stock water claims is not to exceed 13,000 gallons per day.

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

Legal locations for instream flow claims are marked with a beginning point and an ending point.

PURPOSE OF USE: This report only deals with claims for small domestic and/or stock water uses, such as yours.

"Domestic right" means a right to the use of water for homes, organization camps, public campgrounds, livestock, and for any other purpose in connection with these uses, including irrigation of up to one-half acre of land.

"Stock water right" means a right to the use of water solely for livestock or wildlife.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, permit.

DUAL BASED CLAIMS: In some cases, the federal government has claimed one right under two theories: a state basis and a federal law basis. Both theories will be reported on one form for that single water right. In most cases, the priority dates are different and will be listed separately. The federal law basis is separately indicated in a box such as this:

```
*****
*                                     *
*                                     *
*****
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IDWR does not investigate or make recommendations regarding federal law based claims.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

PREPAID
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

RETURNED
TO
SENDER
UNDELIVERABLE
FORWARD ORDER EXPIRED
FOE

RECEIVED

MAR 17 1999

Department of Water Resources



AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-1105

RIGHT NUMBER: 37-12122

NAME & ADDRESS: EDWARD DALE
21455 CALLE DEL BARCO
MALIBU CA 90265

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 09/25/1984

POINT OF DIVERSION: T04N R18E S35 NENWSE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T04N R18E S35 NWSE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP005650000050T

D
7-29-98

Claim proofread by: NW
Date: 1/4/98

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: A37-12122
Date Received: 11/16/1988
Receipt No: S003837
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDWARD DALE 213-613-3360
Address: 21455 CALLE DEL BARCO
MALIBU, CA 90265

2. Date of Priority: SEP 25, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	18E	35	NE	NW	SE		BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	18E	35	NW	SE		DOMEST	

11. Place of use in counties: BLAINE

A37-12122

Page 1

Date: 11/16/88

MICROFILMED
FEB 26 1989

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRIUMPH MEADOWS SUBD. LOT 5.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 437-12122

Date Received

Receipt Number 5003837 *see*

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

Department of Water Resources
Southern Region Office

RECEIVED

OCT 26 1988

Please type or print clearly

1. Name of Claimant (s) EDWARD DALE Phone (213) 613-3360Mailing Address 21455 Calle Del Barco, Malibu, California Zip 902652. Date of Priority (Only one (1) per claim) 09-25-843. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. Location of point of diversion is: Township 4N Range 18E
Section 35, NE 1/4 of NW 1/4 of SE 1/4, Govt. Lot _____, B.M.,
County of BLAINE

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WELL & PUMP: 8" DIAMETER -- 48' DEEP

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

For DOMESTIC purposes from 01-01 to 12-31 amount .04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) ONE HOUSEHOLD

MICROFILMED

FEB 26 1993

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
4N	18E	35														D		

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

12. Do you own the property listed above as place of use? Yes XXX No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (XX)

14. Remarks: TRIUMPH MEADOWS SUBDIVISION, LOT 5

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

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

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
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) Daquah Williams Date 10/25/88

POWER OF ATTORNEY FOR DALE Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ Organization _____

_____ 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 BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 25 day of OCTOBER 19 88

SEAL

Notary Public Daquah Williams

Residing at SUN VALLEY, IDAHO

My Commission Expires MARCH 23, 1994

Last Name DALE Ident No. A37-12122 Copies White-State, Yellow-Claimant

MICROFILMED
FEB 26 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A37-12122

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
DALE

EDWARD

1 - 21455 CALLE DEL BARCO
2 -
3 -
CITY- MALIBU
PHONE - 213-613-3360

STATE- CA ZIP- 90265

+ - - PRIORITY DATE - - +
09/25/1984

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

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

+ - - - STATUS - - - - +

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

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

[illegible]

04N 18E 35 NE NW SE (13) BLAINE

[illegible]

| | | | |
|---------------|-------|-------|-------|
| 43 - DOMESTIC | 01/01 | 12/31 | 0.040 |
|---------------|-------|-------|-------|

| + - TOTAL DIV. RATE - + | | + - TOTAL DIV. VOLUME - + | | + - TOTAL DIV. CAPACITY - + | | + - TOTAL CONSUMPTIVE USE - + | | + - KW USAGE - + | |
|-------------------------|-------|---------------------------|--|-----------------------------|--|-------------------------------|-----|------------------|--|
| | 0.040 | | | | | | 0.0 | | |

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

04N 18E 35 NW SE 43 DOMESTIC (13) BLAINE

+ - - DIVERSION MEANS - WELL AND PUMP

+ - - NON-IRRIGATION USE - D/ 1 HOUSE

+ - - OTHER RIGHTS FOR SAME USE - NONE

| | REMARKS |
|------------------------------|---------|
| TRIUMPH MEADOWS SUBD. LOT 5. | |

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

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

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 10/31/88 CLELLAND 10/03/89 REFUNDML

00/0000
MICROFILMED
OCT 26 1994

WATER RIGHT NUMBER - A37-12122

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

| | | | | | |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER | - 39576 |
| OBJECTION FILED DATE | - 00/00/0000 | FIELD INSPECTION FLAG | - | OLD CASE NUMBER | - |
| RESPONSE FILED DATE | - 00/00/0000 | VERIFIED DATE | - 00/00/0000 | OLD JUDICIAL DISTRICT | - |
| CLAIM RECEIVED DATE | - 11/16/1988 | LAST AMENDED DATE | - 00/00/0000 | TEMPORARY RIGHT | - P |
| PROOF DUE DATE | - 00/00/0000 | PROOF MADE DATE | - 00/00/0000 | WATER DISTRICT | - |
| LICENSED DATE | - 00/00/0000 | RECEIPT NUMBER | - S003837 | FEDERAL/STATE INDICATOR | - S |
| CLAIMS TAPE ERROR FLG | - | POU OWNERSHIP FLAG | - Y | PRESUMPTION FLAG | - |
| FEE EXEMPT FLAG | - | NAME CONNECTOR | - | NOTICE OF ERROR FLAG | - |

RP005650000050T

DATA ENTRY

ENTERED 1294 18

CHECKED 6-4-91

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

VERIFIED
FEB 28 1992

PROOF
JAN 06 1992

CERTIFIED
MAR 27 1992
WATER EXAMINER