

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-1169

RIGHT NUMBER: 37-12249

NAME & ADDRESS: NICK VANOFF PRESENTS INC
C/O NICK VANOFF JR
PO BOX 834
SUN VALLEY ID 83353

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1973

POINT OF DIVERSION: T02N R18E S22 SWNWSE Within BLAINE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE: STOCKWATER Within BLAINE County
T02N R18E S22 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
STOCKWATER, 30 CATTLE, 5 HORSES

#

D 7-29-98

Claim proofread by: WJW
Date: 1103

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: A37-12249
Date Received: 12/12/1988
Receipt No: C003854
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NICK VANOFF PRESENTS, INC. 208-726-9572
Address: A CALIFORNIA CORPORATION
C/O NICK VANOFF, JR.
P.O. BOX 834
SUN VALLEY, ID 83353

2. Date of Priority: DEC 31, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	22	SW	NW	SE		BLAINE

5. Description of diverting works:
WELL, 35', 6" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/30 HEAD CATTLE, 5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	22	NW	SE		STOCK	

A37-12249

Page 1

Date: 10/19/89

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FEB 26 1993

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGE OF OWNERSHIP*****
WARRANTY DEED ATTACHED, ORIGINALS WITH A37-00707 (10-19-1989 SCC)

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 _____

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CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): A37-00707, A37-00882, A37-04185, A37-12249

[] Name and Address of

Former Claimant: Warren S. Tenney

598 Madison Avenue

New York, New York 10022

[] New Claimant(s): Nick Vanoff Presents, Inc.

a California corporation

[] New Mailing Address: c/o Nick Vanoff, Jr.

P.O. Box 834

Sun Valley, ID 83353

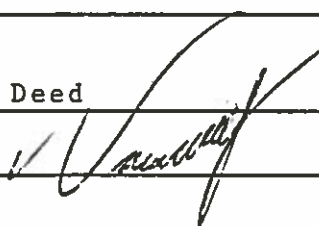
New Telephone Number: (208) 726 - 9572

[] Does the change in ownership result in a splitting of the
water right claimed? yes XX no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[X] Attach proof of ownership

Describe proof attached: Warranty Deed

[] Signature of New Claimant(s): 

Date: 6/12/89

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-19-89 By: SCC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

RECEIVED

OCT 13 1989

Department of Water Resources

Southern Region. **MICROFILMED**
FEB 26 1993

1127
127-9381

WARRANTY DEED

For Value Received

WARREN S. TENNEY and JUDY E. TENNEY, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

NICK VANOFF PRESENTS, INC., a California Corporation

the grantees, whose current address is 1438 N. Gower St., Hollywood, CA. 90028

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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

308037
Sun Valley Title Co.
BLAINE CO. REQUEST
of: *Doc*
89 JUL 28 PM 2 59
MARY GREEN, CLERK
FEES \$100

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantees do hereby covenant to and with the said Grantee, that they are the owner s in fee simple of said premises; that they are free from all incumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: July 20, 1989

Warren S. Tenney
Warren S. Tenney

Judy E. Tenney
Judy E. Tenney

STATE OF IDAHO
COUNTY OF *Blaine*
On this *20th* day of *July*, 1989, before me, a Notary Public, personally appeared *Warren S. Tenney and Judy E. Tenney* known or identified to me in the manner which is a part of the within instrument, and acknowledged to me that they executed the same.

Walter B. Wink
Notary Public
Residing at *Blaine*, Idaho.
Commission Expires *12-1-94*

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of
at *12* minutes past *2* o'clock M.,
this *28th* day of *July*,
1989, in my office, and duly recorded in Book
of Deeds at page

By *[Signature]* Ex-Officio Recorder
Deputy

Fees \$
Mail to:

Chicago Title Insurance Company of Idaho

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FEB 26 1993

Standard Form No. 67-11022

INSTRUMENT No.

EXHIBIT "A"

Lots 2, 3 & 4 of TENNEY-ANDERSON SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof on file in the office of the County Recorder, recorded July 2, 1987, as Instrument No. 285645, records of Blaine County, Idaho.

also

TOWNSHIP 2 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 22: SW $\frac{1}{4}$ NE $\frac{1}{4}$;

All of the NW $\frac{1}{4}$ EXCEPTING THEREFROM the following described tracts of land:

Beginning at the Northwest corner of the NW $\frac{1}{4}$ of said Section 22, and running thence East 1375 feet; thence South 29°30' East 627 feet; thence South 25° East 394 feet; thence West 1850.3 feet to the section line; thence North along said section line 902.8 feet to the Place of Beginning.

And also EXCEPTING all of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying North of the existing canal.

Together with 80 miner inches of water from the Big Wood River with a decree dated July 10, 1884, said decree being in Book 6 of Judgments, page 466 of the Blaine County, Idaho, records.

SECTION 22: E $\frac{1}{2}$ SW $\frac{1}{4}$;

All of the NW $\frac{1}{2}$ SE $\frac{1}{4}$ EXCEPTING THEREFROM the following described tract of land:

Beginning at the Southeast corner of said Section 22; thence South 86°27' West 1091.5 feet; thence North 21°57' West 277.59 feet; thence North 17°33' West, 83.03 feet; thence North 17°19' West 642.2 feet; thence North 62°30' West 138.3 feet to the true point of beginning; thence South 1°45' East 60.0 feet; thence South 89°37' West 1057.6 feet; thence North 1°45' West 519.2 feet; thence South 86°17' East 726.2 feet; thence South 36°04' East 194.6 feet; thence South 43°11' East 339.7 feet to the point of beginning.

SECTION 22: All that portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ lying West of the Broadford Road.

EXCEPTING THEREFROM a strip of land sixty (60) feet wide being thirty (30) feet left and thirty (30) feet right of the following described centerline located within Section 22, T.2N., R.18E., B.M., Blaine County, Idaho, more particularly described as follows:

Commencing at an aluminum cap marking the North one-quarter corner of said Section 22, which point lies North 45°04'56" East 3753.85 feet from a brass cap marking the West one-quarter corner of said Section 22; thence South 8°53'14" East 3259.74 feet to centerline station 2 + 00, which point is the REAL POINT OF BEGINNING; thence North 7°36'24" East 128.16 feet to centerline station 3 + 28.16, which point is a point of curvature; thence 216.18 feet around a curve to the left with a central angle of 24°51'40", a tangent of 109.82 feet, a radius of 498.22 feet, and a long chord of 214.49 feet that bears North 4°49'26" West to a point of tangency at centerline station 5 + 44.34; thence North 17°15'16" West 327.57 feet to centerline station 8 + 71.91, which point is a point of curvature; thence 422.07 feet around a curve to the left with a central angle of 48°32'17", a tangent of 224.63 feet, a radius of 498.22 feet, and a long chord of 409.56 feet that bears North 41°31'24" West to point of tangency at centerline station 12 + 93.98, which point is the point of ending of said right-of-way parcel.

FILED
SEP 26 1993

cont.

ALSO EXCEPTING THEREFROM a tract of land in the West 1/4 of the Southeast 1/4 of Section 22, Township 2 North, Range 18 E., B.M., more particularly described as follows:

Beginning at the Southeast Corner of said Section 22; thence S. 86°27' W., 1091.50 feet; thence N. 21°57' W., 277.59 feet; thence N. 17°33' W., 83.03 feet; thence N. 17°19' W., 642.20 feet; thence N. 62°30' W., 138.30 feet; thence N. 339.70 feet to the TRUE POINT OF BEGINNING; thence W. 190.00 feet; thence N. 194.60 feet; thence E. 190.00 feet; thence S. 194.60 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM TENNEY-ANDERSON SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof on file in the office of the County Recorder, recorded July 2, 1987, as Instrument No. 285645, records of Blaine County, Idaho.

EXCEPTING THEREFROM: a tract of land in the NW1/4 of said Section 22 described as follows:

Beginning at the Southeast corner of said Section 22; thence South 86°27' West 1091.5 feet; thence North 21°57' West 277.59 feet; thence North 17°33' West 83.03 feet; thence North 17°19' West 642.2 feet; thence North 62°30' West 138.3 feet to the true point of beginning; thence South 1°45' East 60.0 feet; thence South 89°37' West 1057.6 feet; thence North 1°45' West 519.2 feet thence South 86°17' East 726.2 feet; thence South 36°04' East 194.6 feet; thence South 43°11' East 339.7 feet to the point of beginning;

ALSO EXCEPTING a tract of land in the S1/4 of said Section 22 described as follows:

Beginning at the Southeast corner of said Section 22; thence South 86°27' West 1091.5 feet; thence North 21°57' West 277.59 feet; thence North 17°33' West 83.03 feet; thence North 71°53' West 1.0 feet; thence North 18°07' West 300.0 feet to the true point of beginning; thence North 18°57' West 209.3 feet; thence North 34°10' West 161.45 feet; thence South 89°47' West 337.65 feet; thence South 18°07' East 467.8 feet; thence North 71°53' East 370.0 feet to the point of beginning.

ALSO EXCEPTING a tract of land in the S1/4 of said Section 22 described as follows: Beginning at the Southeast corner of said Section 22; thence South 86°27' West 1091.5 feet; thence North 21°57' West 277.59 feet; thence North 17°33' West 83.03 feet thence North 71°53' West 1.0 feet to the true point of beginning; thence North 18°07' West 300.0 feet; thence South 71°53' West 370.00 feet; thence South 18°07' East 300.0 feet thence North 71°53' East 370.0 feet to the true point of beginning.

SECTION 27: Lot 1 (NW1/4NE1/4);

All those portions of the NE1/4NE1/4, Lot 5 (SE1/4NE1/4) and Lot 6 (NE1/4SE1/4) lying West of the Bradford Road;

ALSO EXCEPTING a tract of land in said Sections 22 and 27 described as follows: Beginning at a point South 86°27' West 1091.5 feet from the Northeast corner of Section 27, at which point there is located a steel pin, which is the true point of beginning; running thence in a northwesterly direction North 21°57' West a distance of 22 feet to a point where the boundary line between Sections 22 and 27 intersects said line and continuing on said line a distance of 255.59 feet to a steel pin; thence North 17°33' West a distance of 83.03 feet to a steel pin; running thence South 71°53' West a distance of 369 feet to a steel pin; running thence South 18°07' East a distance of 210 feet to the intersection of the boundary line of Sections 22 and 27; continuing thence along said line a distance of 150 feet to a steel pin; running thence North 71°53' East a distance of 387.74 feet to the true point of beginning;

REPRODUCTION
FEB 26 1993

cont.

Together with 200 miner inches of water from the Big Wood River with a decree dated June 1, 1883, the decree being recorded in Book 7 of Judgments, page 121 of the records of Blaine County, Idaho.

Except any and all mineral rights appurtenant to the above described properties.

EXCEPTING THEREFROM any portion thereof of the QUEEN BESS Patented Mining Claim as disclosed in Survey recorded December 18, 1984, as Instrument No. 259092, records of Blaine County, Idaho; and EXCEPTING THEREFROM any portion of the County Road known as Broadford Road.

INCLUDING but not limited to any and all water rights which are appurtenant to the above described real property.

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FEB 26 1993

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: A37-12249

Date Received: 12/12/1988

Receipt No: C003854

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARREN S. TENNEY 212-832-4903
Address: 598 MADISON AVE.
NEW YORK, NY 10022

2. Date of Priority: DEC 31, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	22	SW	NW	SE		BLAINE

5. Description of diverting works:
WELL, 35', 6" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/30 HEAD CATTLE, 5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	22	NW	SE		STOCK	

11. Place of use in counties: BLAINE

A37-12249

Page 1

Date: 12/19/88

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FEB 26 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576
Ident Number A37-12249
Date Received 10/25/88
Receipt Number C003854

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 25 1988

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

1. Name of Claimant(s): Warren S. Tenney
Phone: (212) 832-4903
Mailing Address: 598 Madison Avenue
New York, NY 10022
2. Date of Priority: 1973
3. Source of water supply: (a) Groundwater
which is tributary to: (b)
4. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	18E	22	SW	NW	SE		Blaine

Additional points of diversion if any: None.

5. Description of diversion works: Well, 35 feet deep, with 6 inch casing.
6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Stockwater	January 1	December 31	0.02 cfs

7. Total Quantity Claimed: 0.02 cfs
8. Total consumptive use claimed is de minimus

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FEB 26 1993

9. Non-irrigation uses: Stockwater - 30 head of cattle, 5 horses.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>
2N	18E	22	NW	SE	S

11. Place of use is located in Blaine County.

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

13. Describe other water rights used? None.

14. Remarks:

15. Basis of Claim: Beneficial use.

IDWR Water Right Number: N/A

Court: Case Number:

Decree Date:

Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Warren S. Tenney, by
James P. Spink, Jr.
attorney-in-fact

Date

12/24/88

Date

State of Idaho)

County of Blaine)

ss.

Subscribed and sworn before me this 24th day of October, 1988.

Notary Public

Residing at

Commission Expires

Ruby Mingo Becker
Sun Valley
1/17/93

Last Name: Tenney

a:\tenney8.clm

Ident No.:

MICROFILMED
FEB 26 1993

OCT 1993

Department of Water Resources
Southern Region Office

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

I, Warren S. Tenney, of Blaine County, Idaho, designate and appoint James P. Speck, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

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FEB 26 1993

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 19th day of September, 1988.

Warren S. Tenney
Warren S. Tenney

STATE OF New York)
~~Idaho~~) ss.
County of New York)
~~Blaine~~

On this 19th day of September, 1988, before me, the undersigned notary public in and for said state, personally appeared Warren S. Tenney, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

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

Mindi Schwartz
Notary Public for New York
Residing at: New York

MINDI L. SCHWARTZ
Notary Public, State of New York
No. 30-4332465
Qualified in Nassau County
Certificate Filed in New York County
Commission Expires May 2, 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Oct. 24, 1989

NICK VANOFF PRESENTS INC
A CALIFORNIA CORPORATION
• C/O NICK VANOFF JR
• P O BOX 834
• SUN VALLEY ID 83353

Re: A37-00707
A37-00882
A37-04185
A37-12249

Dear Claimant(s):

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

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
FEB 26 1995