

01/30/2004

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

RIGHT NUMBER: 27-11947

NAME AND ADDRESS: BENJAMIN G PACK
938 E AIRPORT RD
BLACKFOOT ID 83221

CHRISTINE PACK
938 E AIRPORT RD
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/26/1962

POINT OF DIVERSION:

T02S R35E S34 NESENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County

T02S R35E S34 SENE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: **Beneficial Use**

RIGHTS LISTED BELOW ARE ALL DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE, 27-11947, 27-11948, 27-11949 & 27-11950.

PROFILED

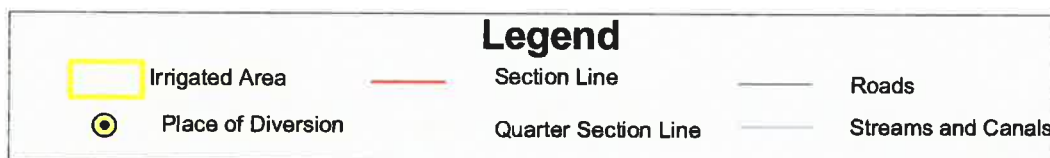
Water Right 27-11947

1

SCANNED
MAY 25 2006

11947
Water Right Claim Number 27-04112-
Township , 2S35E

12/22/2000



10/02/2006

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

RIGHT NUMBER: 27-11947

NAME AND ADDRESS: JOHN M DAVIS
938 E AIRPORT RD
BLACKFOOT ID 83221

MEGGAN K DAVIS
938 E AIRPORT RD
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/26/1962

POINT OF
DIVERSION: T02S R35E S34 NESENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County

T02S R35E S34 SENE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHTS LISTED BELOW ARE ALL DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE, 27-11947, 27-11948, 27-11949 &
27-11950.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

October 6, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

JOHN & MEGGAN DAVIS
938 E AIRPORT RD
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for 27-11947 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Davis:

On September 25, 2006, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Benjamin & Christine Pack

SCANNED
OCT 03 2006

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

In Re SRBA

) Water Rights: 27-11947

)
)
) Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

_____ IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Oct 3, 2006

Ernest Calver

Signature of IDWR Representative

SCANNED
OCT 03 2006

CERTIFICATE OF MAILING

I certify that on Oct 6, 2006, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
BENJAMIN & CHRISTINE PACK
1097 N 910 E
OREM UT 84097

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
JOHN M & MEGGAN K DAVIS
938 E AIRPORT RD
BLACKFOOT ID 83221

4. One copy to:

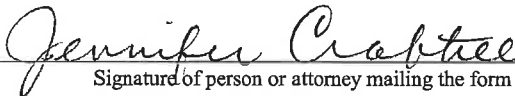
Each party in the subcase, or attorney of record
JEANETTE WOLFLEY
202 N ARTHUR
POCATELLO ID 83204

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

SCANNED
OCT 03 2006

NO ✓
WA

RECEIVED
AUG 04 2006
DEPARTMENT OF
RESOURCES

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

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

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
27-11947		✓			

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s)

BENJAMIN G. PACK

CHRISTINE PACK 1097 N 910E

OREM, UT 84005
84097

4. New Owner/Claimant(s)

JOHN M. DAVIS MEGAN K. DAVIS

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

938 E AIRPORT RD

City, State and ZIP Code

BLACKFOOT, ID, 83221

New Telephone Number

(208) 785-1643

5. Date you acquired the property

10-26-04

RECEIVED

SEP 25 2006

Department of Water Resources
Eastern Region

SCANNED

SEP 21 2006

needs
NCAO

OK
JC
10-3-06

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>C7-1947</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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

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

SCANNED

SEP 7 1 2006

BANK OF IDAHO
1230 YELLOWSTONE AVENUE
POCATELLO, ID 83201

Prepared by:
BANK OF IDAHO
1230 YELLOWSTONE AVENUE
POCATELLO, ID 83201
(208) 232-5242

Loan No: 535141

[Space Above This Line For Recording Data]

DEED OF TRUST

MIN: 1002231-0000535141-3

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated together with all Riders to this document.

October 26, 2004

(B) "Borrower" is

John M Davis, Meggan K Davis, Husband and Wife

Borrower is the trustor under this Security Instrument.

(C) "Lender" is BANK OF IDAHO

Lender is a CORPORATION
organized and existing under the laws of IDAHO
Lender's address is 1230 YELLOWSTONE AVENUE
POCATELLO, ID 83201

(D) "Trustee" is ALLIANCE TITLE COMPANY

(E) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the beneficiary under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

(F) "Note" means the promissory note signed by Borrower and dated

October 26, 2004

The Note states that Borrower owes Lender One Hundred One Thousand One Hundred Seventy Five DOLLARS and Zero CENTS

Dollars (U.S. \$ 101,175.00

) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than

November 1, 2034

IDAHO - Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT
Form 3013 1/01

Laser Forms Inc. (800) 446-3555

LFI#FNMA3013-MERS 1/01 (A)

Page 1 of 13

Initials:

[Handwritten initials]

SCANNED

SEP 21 2006

(G) **"Property"** means the property that is described below under the heading "Transfer of Rights in the Property."

(H) **"Loan"** means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(I) **"Riders"** means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- | | | |
|---|---|--|
| ☐ Adjustable Rate Rider | ☐ Condominium Rider | ☐ Second Home Rider |
| ☐ Balloon Rider | ☐ Planned Unit Development Rider | ☐ 1-4 Family Rider |
| ☐ Biweekly Payment Rider | ☐ V.A. Rider | |
| ☐ Other(s) [specify] | | |

(J) **"Applicable Law"** means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(K) **"Community Association Dues, Fees, and Assessments"** means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(L) **"Electronic Funds Transfer"** means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(M) **"Escrow Items"** means those items that are described in Section 3.

(N) **"Miscellaneous Proceeds"** means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(O) **"Mortgage Insurance"** means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) **"Periodic Payment"** means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(Q) **"RESPA"** means the Real Estate Settlement Procedures Act (12 U.S.C. §2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(R) **"Successor in Interest of Borrower"** means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the

COUNTY

[Type of Recording Jurisdiction]

of

Bingham

[Name of Recording Jurisdiction]

SEE ATTACHED FOR LEGAL DESCRIPTION

which currently has the address of

938 E. AIRPORT RD.

[Street]

BLACKFOOT

[City]

, Idaho

83221

[Zip Code]

("Property Address"):

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right: to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

Witnesses:

John M Davis (Seal)
-Borrower

Meggan K Davis (Seal)
-Borrower

(Seal)
-Borrower

(Seal)
-Borrower

[Space Below This Line For Acknowledgment]

STATE OF IDAHO,

On this _____ day of _____, before me
a Notary Public in and for said county and state, personally appeared
John M Davis, Meggan K Davis, Husband and Wife

County ss:

known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that he/she/they 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.

My Commission

RESIDING AT: BLACKFOOT, IDAHO

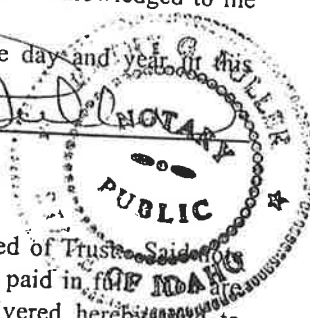
COMMISSION EXPIRES: 03-19-2007

Notary Public residing at:

REQUEST FOR RECONVEYANCE

TO TRUSTEE: The undersigned is the holder of the note or notes secured by this Deed of Trust. Said note or notes, together with all other indebtedness secured by this Deed of Trust, have been paid in full. I hereby directed to cancel said note or notes and this Deed of Trust, which are delivered hereby, and to reconvey, without warranty, all the estate now held by you under this Deed of Trust to the person or persons legally entitled thereto.

Date: _____



Order No.: 3020406157-S

**LEGAL DESCRIPTION
EXHIBIT 'A'**

That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 34, Township 2 South, Range 35 East, Boise Meridian, Bingham County, Idaho, more particularly described as:
Beginning at a monument described as a cross mark chiseled in the top of an iron wheel hub located on the South line of the right-of-way of a County Road 1337.20 feet South and 25 feet West from the Northeast corner of Section 34, Township 2 South, Range 35 East, Boise Meridian as located by the US Cadastral Survey of the Bureau of Land Management in 1957, and designated by a brass cap monument, and from such Point of Beginning running thence South 89°06'27" West 173 feet; thence South 200 feet; thence North 89°06'27" East 173 feet; thence North 200 feet to the Point of Beginning.

SCANNED

SEP 21 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

March 1, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BENJAMIN AND CHRISTINE PACK
1097 N 910 E
OREM UT 84097-3450

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #27-11947

Dear Claimants:

*Re word updated, NCAP prepared. NO
3-8-06*

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by March 20, 2006. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Christine M. Pack
Water Right Holder's Signature

(801) 225-5996
Telephone No.

CHANGE OF OWNERSHIP
LETTER SENT *3-8-06, ss*

RECEIVED
MAR 13 2006

Department of Water Resources
Eastern Region

SCANNED
MAR - 8 2006

P.S. New owner's: John and Meggan Davis!
(unsure of spelling)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

27-11947 Recm.

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
EAGLE
PITNEY BOWES
02 1A
0004389390
JAN 27 2006
MAILED FROM ZIP CODE 83702

\$ 00.29³

RECEIVED

FEB 06 2006

DEPARTMENT OF
WATER RESOURCES

BENJAMIN G PACK

CHRISTINE PACK
938 E AIRPORT R
BLACKFOOT ID 8:

PACK 938 832212020 1A04 21 02/02/06
FORWARD TIME EXP RTN TO SEND
PACK
1097 N 910 E
OREM UT 84097-3450

RETURN TO SENDER

1-946-6051 83221



SCANNED
MAR - 8 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2006

JOHN AND MEGAN DAVIS
983 E AIRPORT RD
BLACKFOOT ID 83221

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #27-11947

RECEIVED
MAR 13 2006

Department of Water Resources
Eastern Region

Dear Claimants:

We have been notified you may be the current owners of the property and water right claim referenced above. Before we can change our records to reflect your ownership, we require the enclosed Notice of Change in Water Right Ownership form to be completed and returned.

Since this claim is still pending before the SRBA Court, there is no fee to change the ownership.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:Eastern
Enclosure:

Notice of Change in Water Right Ownership Form

SCANNED

MAR - 8 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

November 15, 2005

KARL J. DREHER
Director

BENJAMIN AND CHRISTINE PACK
1097 N 910 E
OREM UT 84097-3450

*11-18-05 Christine called.
New owners: John & Megan Davis
938 E. Airport
Blackfoot ID 83221*

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #27-11947

Dear Claimants:

CHANGE OF OWNERSHIP

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by December 9, 2005. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

CHANGE OF OWNERSHIP
LETTER SENT 11-21-05

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone Number

RECEIVED
NOV 28 2005

Department of Water Resources
Eastern Region
SCANNED

SCANNED

NOV 22 2005

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAGE
PITNEY BOWES
02 1A \$ 01.06⁰
0004310839 NOV 10 2005
MAILED FROM ZIP CODE 83702

RECEIVED

NOV 15 2005

Department of Water Resources

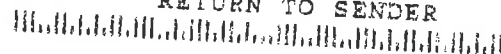
27-11947

BENJAMIN G PACK

CHRISTINE PACK
938 E AIRPORT RD
RI ACKFOOT ID 83221

PACK938 832212004 1A04 03 11/14/05
FORWARD TIME EXP RTN TO SEND
PACK
1097 N 910 E
CREM UT 84097-3450

RETURN TO SENDER



SCANNED
NOV 12 2005

Notes

Claim A27-11947

1/ Exam completed 10-28-2003

2/ Amended claim given to Christine Pack with instructions to have it signed & notarized & returned to Agent, Cindy Bird.

3/ See files for Charlie Shikashio & John Fullmer & Thulin for GPS data & well photo.

11-5-03

12-1-03 received Amended claim. The amendment changed the claim for domestic, irrigation and stock to domestic only. Warranty deed excluded any irrigation. Benjamin submitted a survey map $206' \times 173' = 0.79$ acres.

Recommend as domestic.

Notes

7/2/03 CB make 27-4112 the parent right,
split as shown in attached breakdown.

Claimant changed the domestic portion
from the original statutory claim from
0.16 to 0.26 cfs. if you use the
graph (figure 1. for Community Water
Systems) J. Arneen, 1977; Technical Proceeding,
N. Carolina; states that for 4 homes the
maximum instantaneous rate would be
0.10 cfs. The graph can be found in
my field book from the examiners handbook.

Stock water: recommend under domestic?
Pack's purchase didn't convey ~~Acres~~ irrigation.

add N13 Quantity condition
; N11 general condition

Recommend as community system or individual
since the pop is on Pack's property?

7/7/03 - Splitting this claim into 4 separate claims
for domestic only.

27-4112 will become the parent right.
Ernie Carlson will split this claim and email
me the new numbers.

27-4112

Robert Kerr

Frank & Marjorie Fullmer

785-2634 her son John has the paperwork

John & Vicky 785-6934

Charlie & Tatsuko Shikashio

Donald & Mary Scott - 3-4 yrs ago started irrigating
Pasture with well. 7/2/03 in the process of selling the home.

Benjamin Pack

No ditches or irrigation water

Notes

July 2, 2003 Pauline called Marjorie
Fullmer about the ownership change
letter sent to her in May, 2003.
She gave the information to her son
(John) to take care of. She will call
her son tonight and ask him
about it. The son takes care of all the
bills.

Notes

July 2, 2003. Call to Don Scott. He said that about 3-4 years ago he started irrigating the pasture with the well because he was having problems getting the canal water.

They are in the process of selling their home. They expect to sign papers Friday. I explained to Mr. Scott that he needs to tell the new buyers that they can only irrigate $\frac{1}{2}$ acre under their right and the pasture should be irrigated from the ditch.

Mr. Scott didn't return ^{the} ownership change because they thought they would let the new buyer deal with it. I told Don that the W/R claim is in Robert Kerr's name and the new buyers are not purchasing this property from Mr. Kerr. So, he needs to file a warranty deed that conveyed it from Kerr to Scott, and the new buyers need to change it into their name.

Also, Mr. Scott assumed that Mr. Pack assumed the agreement because he purchased Mr. Kerr's place. I explained to Mr. Scott that Mr. Pack was not conveyed any irrigation water. Mr. Pack owns the property where the POD is located.

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Benjamin G. & /or Christine Pack.				785-2745	
Name connector: and _____, or _____, and/or _____						
Current Owner		938 E. Airport Rd.				
Current Owner		Blackfoot, ID 83221.				

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 10-28-03 Time: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: CB

Date: 7/1/03

Contacts Data Entry Form

Priority Date Data Entry FormClaim Number: A27-11947

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

affidavit from Robert Kerr, Jr.

Reviewer: CBDate: 10/12/1/03**Priority Date Data Entry Form**

Priority DateClaim No. 27 - 11947

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ☐ No ☐
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ☐ No ☐
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes ☐ No ☒
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☐ No ☐
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ☐ No ☐
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes ☐ No ☒
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes ☐ No ☒
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ☐ No ☒
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes ☐ No ☐
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ☐ No ☐
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes ☒ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes ☐ No ☐
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes ☒ No ☐
If Yes, go to 16
If No, Enter the appropriate basis of claim. B. 2.
16. Is a Priority Date remark and/or condition required? Yes ☐ No ☒
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Priority Date

Point of Diversion and Source Data Entry FormClaim Number: 27-11947

Water Right Point of Diversion: T____ R____ Sec.____ County:____

Source:____ Tributary:____

Claimed Point of Diversion: T____ R____ Sec.____ County:____

Source:____ Tributary:____

Recommended Point of Diversion: T____ R____ Sec.____ County:____

Source:____ Tributary:____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? 27-11948, 11949 & 11950

Document how the POD and Source were verified and/or Pump and Motor data:

field exam, skip

Transfers Changing POD _____

Reviewer: CBDate: 1/30/04**Point of Diversion and Source Data Entry Form**

Point of Diversion

Claim No. 27 - 11947

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes () No (X)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes () No (X)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10
Yes () No ()
4. Does the parent right have a POD?
If Yes, go to 5
If No, go to 6
Yes () No ()
5. Can the claimed POD be verified using the water right file?
If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6
Yes () No ()
6. Is there evidence that there has been a change in the POD?
If Yes, go to 7
If No, go to 9
Yes () No (X)
7. Can the change be verified as an accomplished transfer?
If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8
Yes () No ()
8. Was a transfer filed?
If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9
Yes () No ()
9. Does the file contain all of the necessary information to verify the POD?
If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10
Yes (X) No ()
10. Is a POD remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.
Yes () No (X)

Point of Diversion

Source

Claim No. 27-11947

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11

Yes () No ()

4. Does the parent right have a Source?

If Yes, go to 5
If No, go to 7

Yes () No ()

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

Yes () No ()

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

Yes () No (X)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8
If No, go to 10

Yes () No (X)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes () No ()

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

Yes () No ()

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (X) No ()

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Yes () No (X)

Source

Purpose of Use Data Entry Form

Claim Number: 27-11947

Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
domestic	4			

Document how the Purpose of Use was verified:

field exam -

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 1/30/04

Purpose of Use Data Entry Form

Purpose of Use

Claim No. 27-11947

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes () No (X)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes () No (X)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13
Yes () No ()
4. Does the parent right have a Purpose of Use?
If Yes, go to 5
If No, go to 6
Yes () No ()
5. Can the claimed Purpose of Use be verified using the water right file?
If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6
Yes () No ()
6. Is there evidence that there has been a change in the Purpose of Use?
If Yes, go to 7
If No, go to 11
Yes () No (X)
7. Can the change be verified as an accomplished transfer?
If Yes, add condition C04, go to 11
If No, go to 8
Yes () No ()
8. Does the change include an enlargement of the Purpose of Use?
If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12
Yes () No ()
9. Was an enlargement claim filed?
If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10
Yes () No ()
10. Did the claimant file an enlargement claim?
If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13
Yes () No ()
11. Does the file contain all of the necessary information to verify the Water Use?
If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
Yes (X) No ()
12. Did the claimant file a transfer?
If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13
Yes () No ()
13. Is a Purpose of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.
Yes () No (X)

Purpose of Use

Place Of Use Data Entry Form

Claim Number:

27-11947

Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

field exam
1987 Napp

Transfers Changing POU _____

Reviewer:

CB

Date:

1/30/04

Place Of Use Data Entry Form

Place of Use

Claim No. 27-11947

1. Is the basis of claim a Decree or License.
If Yes, go to 2a
If No, go to 2b
Yes ☐ No ☒
- 2a. Is a POU required?
If Yes, go to 5
If No, go to 14
Yes ☐ No ☐
- 2b. Is a POU required?
If Yes, go to 3
If No, go to 14
Yes ☐ No ☒
3. Is the basis of claim a Permit or Application?
If Yes, go to 4
If No, go to 7
Yes ☐ No ☐
4. Has the License been issued?
If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14
Yes ☐ No ☐
5. Does the parent right have a POU?
If Yes, go to 6
If No, go to 7
Yes ☐ No ☐
6. Can the claimed POU be verified using the water right file?
If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7
Yes ☐ No ☐
7. Is there evidence that there has been a change in the POU?
If Yes, go to 8
If No, go to 13
Yes ☐ No ☐
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C05, go to 13
If No, go to 9
Yes ☐ No ☐
9. Does the change include an enlargement of the POU?
If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12
Yes ☐ No ☐
10. Was an enlargement claim filed?
If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11
Yes ☐ No ☐
11. Did the claimant file an enlargement claim?
If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
Yes ☐ No ☐
12. Was a transfer filed?
If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
Yes ☐ No ☐
13. Does the file contain all of the necessary information to verify the POU?
If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14
Yes ☐ No ☐
14. Is a POU remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.
Yes ☐ No ☒

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: 27-11947☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IDWR std

Reviewer: CPDate: 1/30/04

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2 Yes () No (X)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6 Yes () No (X)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18 Yes () No ()
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6 Yes () No ()
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6 Yes () No ()
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12 Yes () No (X)
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8 Yes () No ()
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11 Yes () No ()
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10 Yes () No ()
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12 Yes () No ()
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12 Yes () No ()
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13 Yes (X) No ()
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15 Yes () No (X)
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18 Yes () No ()
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18 Yes () No (X)
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18 Yes () No ()
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18 Yes () No ()
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete. Yes () No (X)

Period of Use

Quantity

Claim No. 27-11948

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes ☐ No ☒

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes ☐ No ☒

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Quantity shown on the Permit. Go to 11

Yes ☐ No ☐

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5

If No, go to 7

Yes ☐ No ☐

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8

If No, go to 7

Yes ☐ No ☐

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7

If No, go to 7

Yes ☐ No ☒

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9

If No, describe why a flow measurement is not required. Go to 9

Yes ☐ No ☒

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10

If No, go to 9

Yes ☐ No ☐

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10

If No, go to 11

Yes ☒ No ☐

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes ☐ No ☒

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, go to 12

Yes ☐ No ☐

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.

If No, quantity review is complete.

Yes ☒ No ☐

Quantity

Summary

Claim No. 27 - 11947

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2

If No, go to 3

Yes ☐ No ☒

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4

If No, status will be set as Active. Go to 5

Yes ☐ No ☐

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5

If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes ☒ No ☐

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5

If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes ☐ No ☐

5. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 6

If No, go to 6

Yes ☒ No ☐

6. Would you like to view the recommended right?

If Yes, go to 7

If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes ☒ No ☐

7. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8

If No, go to 8

Yes ☒ No ☒

8. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 9

If No, go to 9

Yes ☐ No ☒

9. Would you like to set the verification date?

If Yes, the review is complete.

If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes ☒ No ☐

Summary

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

FOS see 27-11950.

N13 Qty Cond.

N11 Gen And

Split or Combined Right Analysis:

no

Attached Field Notes or Other Documents:

Claim No.:

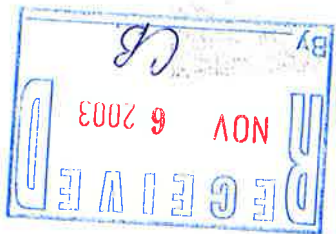
27-11947

Reviewer

CB

Date

1/30/04



Clear put this
with claw filr
A27-11947,
Brysonia Pad.
Thanks!
Skip

Home, looking S.W.



Claw A27-11947

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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
<u>split</u>	<u>A27-04112</u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>
<u> </u>	<u> </u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>
<u> </u>	<u> </u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>
<u> </u>	<u> </u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>
<u> </u>	<u> </u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s)

Robert Kerr Jr.
P.O. Box 160, Blackfoot, ID

4. New Owner/Claimant(s)

Benjamin G. Christine M. Park

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

938 E Airport Rd

City, State and ZIP Code

Blackfoot ID 83221

New Telephone Number

208 785-2745

5. Date you acquired the property

5/24/2002



6.

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A27-04112</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7.

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

B. Park
Christine M. Park

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 _____

362 0002907-L

513094

WARRANTY DEED

For Value Received, ROBERT M. KERR, JR. and ANN T. KERR, husband and wife, Grantors do hereby grant, bargain, sell and convey unto BENJAMIN G. PACK and CHRISTINE M. PACK, husband and wife, whose current address is 938 E. Airport Road, Blackfoot, Idaho, 83221, the Grantees, the following described premises in Bingham County, Idaho to-wit: (*means degrees)

That portion of Section 34, T. 2 S., R. 35 E.B.M., more particularly described as:

Beginning at a monument described as a cross mark chiseled in the top of an iron wheel hub which is located on the South line of the right-of-way of a County road 1337.20 feet South and 25 feet West from the Northeast corner of Section 34 Township 2 South Range 35 E.B.M. as located by the US Cadastral survey of the Bureau of Land Management in 1957, and designated by a brass cap monument, and from such point of beginning running thence South 89°06'27" West 173 feet; thence South 200 feet; thence North 89°06'27" East 173 feet; thence North 200 feet to the point of beginning.

Subject to taxes and assessments for the current year and thereafter, easements and rights-of-way, public roads, reservations in Federal Patents and State Deeds, if any, building and zoning ordinances, regulations and use restrictions, and liens or encumbrances suffered, assumed or occasioned by the grantees, their heirs, executors, administrators, successors or assigns, and also to three undivided 1/4 interests held by others in and to a well drilled on said property and located approximately 25 feet West and 25 feet North of the Southeast corner of the above described premises, with all necessary rights of ingress to and egress from said well site and a right-of-way for laying and maintaining the necessary pipes from said well site to the premises of said water users adjacent to the above described premises on the South and across the road to the East

RECORDED IN THE REGISTRY OF
ALLIANCE Title & Escrow Corp.

2002 MAY 28 AM 9:07

RECORDED IN THE REGISTRY OF
BUREAU OF LAND MANAGEMENT
IDaho DEPT OF AG

NO DITCHES OR IRRIGATION WATER IS CONVEYED THIS LAND

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby

covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances except as specified hereinabove, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 19th day of April, 2002.

Robert M. Kerr, Jr.
Robert M. Kerr, Jr.

Ann T. Kerr
Ann T. Kerr

STATE OF IDAHO)
)
ss:)
Blackfoot, Idaho)

On this 19th day of April, 2002, before me, a Notary Public in and for said state, personally appeared Robert M. Kerr, Jr. and Ann T. Kerr, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Donna Cronquist
Printed Name Donna Cronquist
Notary Public for Idaho
Residing at Blackfoot, Idaho
My comm expires 12-2-2004



513094



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 7, 2003

Benjamin Pack
938 East Airport Road
Blackfoot, ID 83221

COPY

Ref: Snake River Basin Adjudication (SRBA)
Amended claim 27-11947

Subject: Correction of the range to 35 east.

Dear Claimant(s):

Please find enclosed the amended claim for 27-11947 to correct the range from 36 east to 35 east. Please sign the form in front of a notary and return to us.

When we mapped your property boundaries from your warranty deed and compared it to the Bingham County tax lot information it doesn't match. The attached aerial photo shows the discrepancy. The purple lines are the Bingham County tax lot information and the yellow lines are from your warranty deed. As you can see there is a big difference between the two. Could you please indicate which line is correct for your property boundary and return it with the signed amended claim.

If you have any further questions please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird

Enclosures: Amend Notice of Claim
Aerial photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Benjamin Pack
938 East Airport Road
Blackfoot, Idaho 83221

May 20, 2003

REF: Snake River Basin Adjudication (SRBA)
Water Right Claim No. A27-04112

Subject: Change in Ownership

Dear Claimant(s),

We have been advised; you are one of the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need form 42-248/42-1409(6) Notice of Change in Water Right Ownership, completed and returned to us.

We will also need a copy of the warranty deed, plat, survey map or aerial photo with the appropriate area marked.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by June 30, 2003.

If you have any questions not covered by this letter please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: form 42-248/42-1409(6) "Notice of Change in Water Right Ownership"
Water Right Report # 27-04112

*Please find requested info attached
Let me know if you need any thing else
BBP 6/9/03*

State of Utah, County of Utah; 55.

I Robert M. Kerr Jr., now residing at 1378 East North Pond Circle Mapleton, Utah 84664 being first duly sworn, make this affidavit of my own personal knowledge to the State of Idaho Dept of Water Resources with reference to Claim # A-27-04112 in the Snake River Basin Water adjudication.

I previously resided in Blackfoot. Blaine County Idaho, and in 1962 was the owner of the land referred to and described in the above referenced application. On or about May 26, 1962 I had paid for all well to be dug, motor & pump for the installation of a cullinary well as described in said application to supply cullinary water to four houses on the described land for lawns, gardens houses & livestock which were then on the outside of the city limits of Blackfoot.

Some of the houses were finished in 1962 & water was applied to houses, lawns & gardens during that year. My own home was the last to be finished. according to my recollection & I moved in about April 1, 1962, & lived there continuously until May 2003.

The other three houses have been lived in continuously since then. All houses, yard, gardens & livestock have been supplied with well water, from the well on my lot since.

Since I moved to Utah, I have been unable to locate my records in reference to this well.

Sometime ago I furnished the Dept. of Water resources information regarding the names of then owners of the property using water from the well. At the time I filed the application mentioned above I had records showing the description of the properties & the amt. of the water used from the well. I state under oath the statements made in said application were & are true & correct & so stated this day by telephone to Cindy E. Bird of the office of the State of Idaho Dept. of Water resources.

Robert M. Kerr Jr

Robert M. Kerr Jr.

Subscribed & sworn to by Robert M. Kere Jr
before me the undersigned notary public
on this 20 May 2003

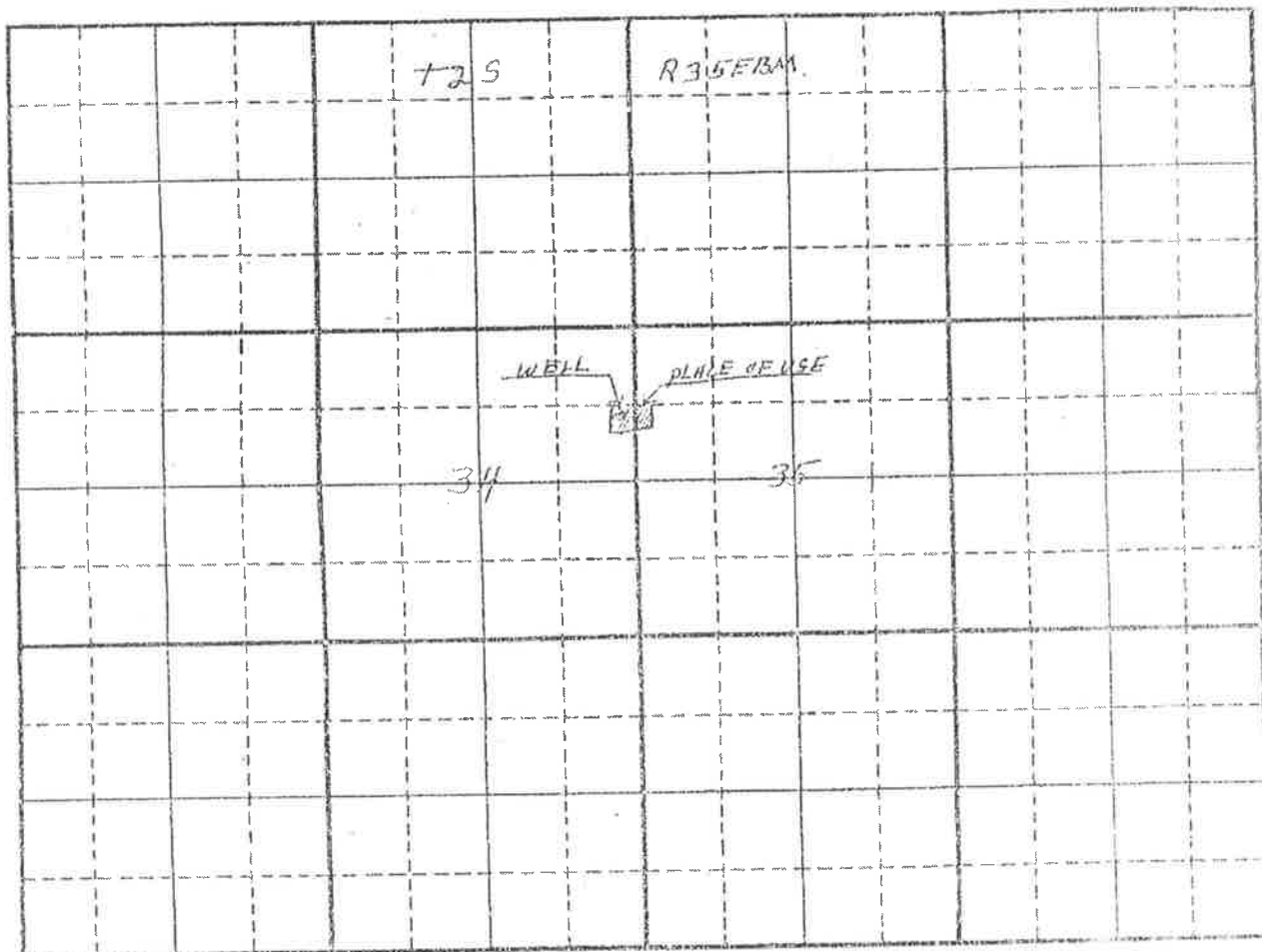


Charlene Butler
Charlene Butler

residing at MAPLETON
my commission expires 12/8/03



(8) Remarks SEE ATTACHED COPIES OF BILL AND CHECK FOR DUMP.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of BINGHAM)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 20th day of JUNE, 1933.

Robert M. King

(Claimant)

Wm. Robinson

Notary Public

Residing at BLACKFOOT, IDAHO

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by _____ Date _____
Prelim. check by _____ Date _____
\$30.00 fee received by _____ Date _____
Published in _____
Dates _____

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

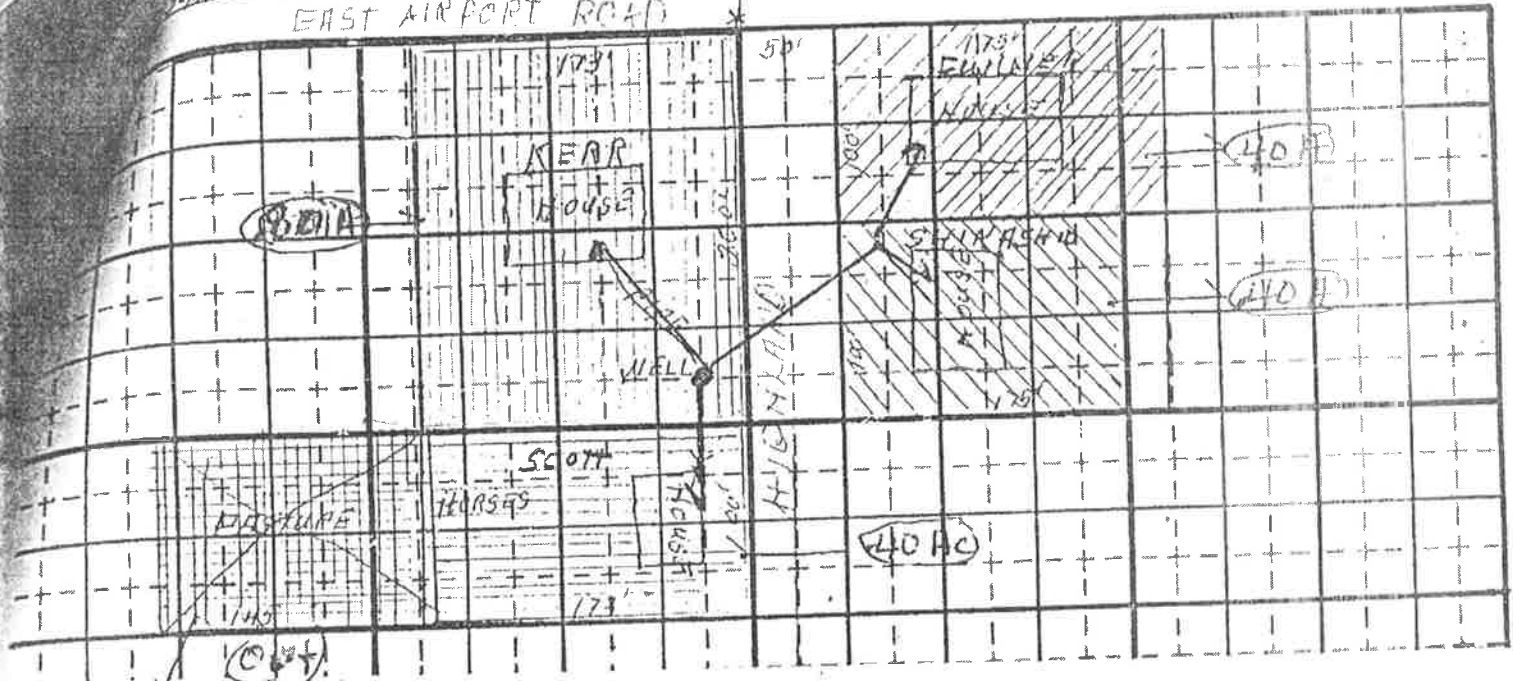
PLOT MAP

show clearly the point of diversion, place of use, section number, township, and range number.

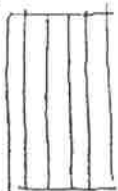
1 inch equals 1 mile 200 feet

SE 1/4 SEC 34, T2S, R35E, B.M.
EAST AIRPORT ROAD

PART OF SW 1/4 NW 1/4 of SEC 35, T2S, R35E, B.M.



This parcel is Property of Robert M. Kerr, Jr. & Ann T. Kerr, P. O. Box 160, Blackfoot, Idaho, 83221, located in the SE 1/4 Sec. 34, T2S, R35E, B.M.
I need irrigation from the Dipple Ditch.



Beginning at a monument described as a cross mark chiseled in the top of an iron wheel hub which is located on the South line of the right-of-way of a County road 1337.20 feet South and 25 feet West from the Northeast corner of Section 34 Township 2S Range 35 E.B.M. as located by the US Cadastral survey of the Bureau of Land Management in 1957, and designated by a brass cap monument, and from such point of beginning running thence South 89°06'27" West 173 feet; thence South 200 feet; thence North 89°06'27" East 173 feet; thence North 200 feet to the point of beginning.

Property of Donald L. Scott & Mary S. Scott, 2215 Highland Drive, Blackfoot, Idaho, 83221, located in the SE 1/4 of Sec. 34, T. 2 S. R. 35 E.B.M.

Beginning at an iron rod which is 300 feet South of a monument described as a cross mark chiseled in the top of an iron wheel hub which is located on the South line of the right of way of a county road, which monument is 1337.20 feet South and 25 feet West from the Northeast corner of Section 34, Township 2 South, Range 35, East of the Boise Meridian, as located by the U.S. Cadastral Survey of the Bureau of Land Management in 1957 and designated by a brass cap monument; and from such point of beginning running thence South 89°06'27" West 313 feet to an iron rod; thence North 100 feet to an iron rod; thence North 89°06'27" East to an iron rod; thence South 100 feet to the point of beginning.

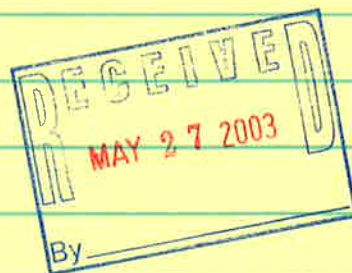
Last Name B. Kerr

We just received your
letter dated Apr. 23, 2003

Yesterday - It was forwarded
to us - but very slowly -

We talked to you this A.M.
& Enclose an ^{original} ~~copy~~ of an
affidavit. Hope this is O.K.

The Kure's,





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Benjamin Pack
938 East Airport Road
Blackfoot, Idaho 83221

May 20, 2003

REF: Snake River Basin Adjudication (SRBA)
Water Right Claim No. A27-04112

Subject: Change in Ownership

Dear Claimant(s),

We have been advised; you are one of the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need form 42-248/42-1409(6) Notice of Change in Water Right Ownership, completed and returned to us.

We will also need a copy of the warranty deed, plat, survey map or aerial photo with the appropriate area marked.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by June 30, 2003.

If you have any questions not covered by this letter please feel free to contact me at 547-3993.

Respectfully,

A handwritten signature in cursive script that reads "Cindy E. Bird".

Cindy E. Bird
Adjudication Bureau

Enclosure: form 42-248/42-1409(6) "Notice of Change in Water Right Ownership"
Water Right Report # 27-04112



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Marjorie Fullmer
994 East Airport Road
Blackfoot, Idaho 83221

May 20, 2003

REF: Snake River Basin Adjudication (SRBA)
Water Right Claim No. A27-04112

Subject: Change in Ownership

Dear Claimant(s),

We have been advised; you are one of the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need form 42-248/42-1409(6) Notice of Change in Water Right Ownership, completed and returned to us.

We will also need a copy of the warranty deed, plat, survey map or aerial photo with the appropriate area marked.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by June 30, 2003.

If you have any questions not covered by this letter please feel free to contact me at 547-3993.

Respectfully,

A handwritten signature in cursive script that reads "Cindy E. Bird". The signature is written in dark ink and is positioned above the printed name and title.

Cindy E. Bird
Adjudication Bureau

Enclosure: form 42-248/42-1409(6) "Notice of Change in Water Right Ownership"
Water Right Report # 27-04112



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Charlie Shikashio
2230 Highland Drive
Blackfoot, Idaho 83221

May 20, 2003

REF: Snake River Basin Adjudication (SRBA)
Water Right Claim No. A27-04112

Subject: Change in Ownership

Dear Claimant(s),

We have been advised; you are one of the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need form 42-248/42-1409(6) Notice of Change in Water Right Ownership, completed and returned to us.

We will also need a copy of the warranty deed, plat, survey map or aerial photo with the appropriate area marked.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by June 30, 2003.

If you have any questions not covered by this letter please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: form 42-248/42-1409(6) "Notice of Change in Water Right Ownership"
Water Right Report # 27-04112



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Donald Scott
2215 Highland Drive
Blackfoot, Idaho 83221

May 20, 2003

REF: Snake River Basin Adjudication (SRBA)
Water Right Claim No. A27-04112

Subject: Change in Ownership

Dear Claimant(s),

We have been advised; you are one of the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need form 42-248/42-1409(6) Notice of Change in Water Right Ownership, completed and returned to us.

We will also need a copy of the warranty deed, plat, survey map or aerial photo with the appropriate area marked.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by June 30, 2003.

If you have any questions not covered by this letter please feel free to contact me at 547-3993.

Respectfully,

A handwritten signature in cursive script that reads "Cindy E. Bird". The signature is written in dark ink and is positioned above the printed name and title.

Cindy E. Bird
Adjudication Bureau

Enclosure: form 42-248/42-1409(6) "Notice of Change in Water Right Ownership"
Water Right Report # 27-04112

Mr. Kerr called the office on 1/5/03 and informed us that he has sold most of his property including the land where the well is located. There is now 4 individuals using the well, they are:

- Benjamin Pack
- Margorie Fullmer
- Charlie Shikashio
- Donald Scott

Mr. Kerr has forwarded the letter sent to him to Benjamin Pack who resides at 938 E. Airport Road.

Mr Kerr's phone number is 208-785-0990.

5/20/03. 11:47 AM.

Called Ann + Robert Kerr at 801-491-3125.
Claim 27-4112.

They sold the property to the following.

Benjamin Pack.
938 E. Airport Rd.
Blackfoot, ID 83221.

Margorie Fullmer.
994 E. Airport Rd.
Blackfoot, ID 83221.

Charlie Shikashio
2230 Highland Dr.
Blackfoot, ID 83221

Donald Scott
2215 Highland Dr.
Blackfoot, ID 83221

Memo to File: The following letter date November 6, 2002, was sent out to the claimants and no response was received back to Intrepid.

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27

RIGHT ID 27 4112

POD ID 168362

Folder No. A2704112

Claim Status In Use

IDTMEAST 635204

IDTMNORTH 235355

GPSID A0011996

Diversion Description

WEL AND PUMP.

Assumptions

90 foot pressure head, and elevation head.

Invoice

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing;
Phase-III (Complete w/issues)

Linked

Photos\27-4112-001.JPG Photos\27-4112-003.JPG Photos\27-4112-005.JPG

Photos

Photos\27-4112-002.JPG Photos\27-4112-004.JPG Photos\27-4112-006.JPG

GPS Accuracy (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0.07

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
- ☐ Half full
- ☐ More than half full
- ☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System ☒

HP 3

Pressure Head (psi) 90

Elevation Head (ft) 50

Motor Mfg Franklin Electric

Motor Serial # 2823028203

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☒

New Contact Comments

Benjamin and Christine Pack.

(208) 785-2745

This Form and the associated query are the exclusive intellectual property of Intrepid Technology Resources Inc. , and may not be copied, modified, or distributed without the express written consent of Intrepid Technology and Resopurces, Inc.



FOLDER NO. A2704112

November 26, 2003

In reply to: SRBA Amended Claim 27-11947 letter of November 7, 2003

Cindy E. Bird
15 W Center St
Soda Springs, ID 83276

Subject: Notarized claim 27-11947 and description of property boundaries

Dear Cindy E. Bird,

Please find enclosed the signed/notarized amended claim 27-11947. I have also enclosed a copy of a survey we had done earlier this year. The survey matched closely the actual property boundaries of our property. Neither the purple nor the yellow lines on the aerial photo you provided us seem to match the actual property boundaries. The purple lines do appear to match the approximate layout of our property and that of our adjoins, as our neighbors to the west have a lot the same depth (north-to-south) as ours and the lot of our neighbors to the south is the depth (east-to-west) of both our and our westerly neighbors lots combined. The lot of the neighbors two lots to the south of us is not quite as deep (east-to-west) as the neighbors directly south of us. The lot two lots west of ours is as deep (north-to-south) as ours and our southerly neighbors combined. The pink dashed lines on the attached copy of a portion of the aerial photo you provided us represent the most likely actual property boundaries as staked per the attached survey.

Please call if you have any further questions 785-2745 (home), or 533-5643 (work).

Respectfully,

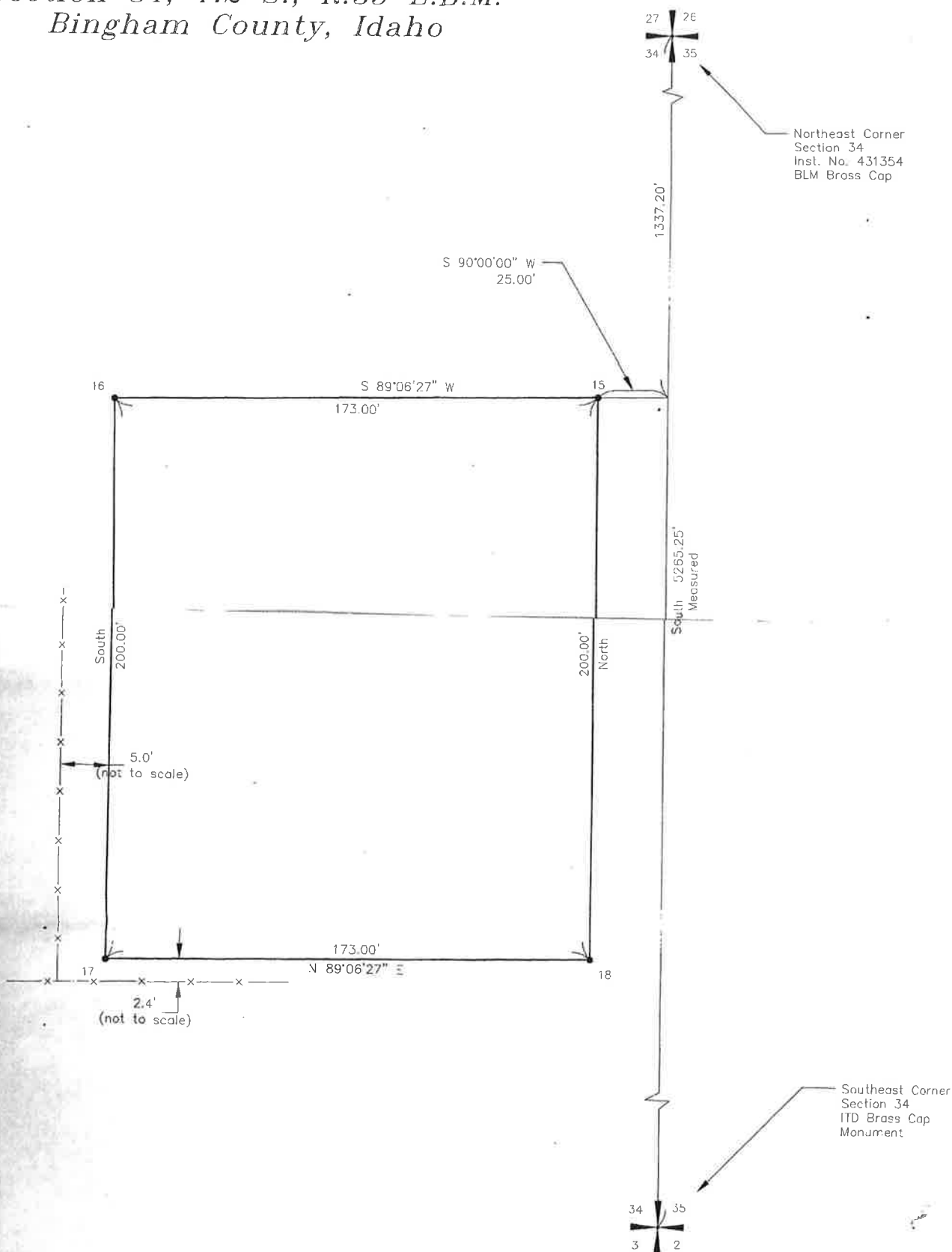


Benjamin Pack

Enclosures: Signed/notarized amended claim 27-11947
Copy of portion of aerial photo
Copy of survey



Part of
Section 34, T.2 S., R.35 E.B.M.
Bingham County, Idaho



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
15 West Center Street
Soda Springs, Idaho 83276

Return Service Requested



Robert M. Kerr Jr.
P.O. Box 160
Blackfoot, Idaho 83221

KERR160 832212008 1103 04 04/26/03
RETURN TO SENDER
KERR FAMILY - LAW OFFICES
1378 E NORTH POND CIR
MAPLETON UT 84664-5308
RETURN TO SENDER

83221701 8322008 5308



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Robert M. Kerr Jr.
P.O. Box 160
Blackfoot, Idaho 83221

*Re-sent letter
5-15-03*

April 23, 2003

Re: Evidence of Priority

Claim No.(s) A27-04112

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

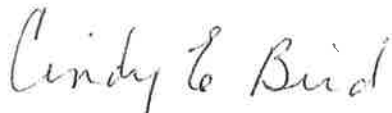
For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by May 23, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,



Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Adjudication Claim Report

SCANNED

JUL 18 2001

Log for claim 27-04112

Spatial Dynamics LTD

12/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s35e	34	SENE	0	6.9	POD placement? / Indiscernible
02s35e	35	SWNW	0	3.5	Indiscernible
Totals:			0	10.4	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT M KERR JR PO BOX 160 BLACKFOOT ID 83221 (208) 785-0990	05/26/1962	IRRIGATION STOCKWATER DOMESTIC	04-01 11-30 01-01 12-31 01-01 12-31	0.050 CFS 0.001 CFS 0.260 CFS	
TOTAL DIVERSION:					0.211 CFS	
CONSUMPTIVE USE:						6.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R36E S34 NESENE BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
02S	35E	34														
02S	35E	35														
TOTAL ACRES																2.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
02S	35E	34														
02S	35E	35														

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
02S	35E	34														1.2
02S	35E	35														0.8

POU County: BINGHAM

Non-Irrigation Uses: D/4 HOUSEHOLDS, S/6 HORSES

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00001J A01-00047E A01-00048 A01-00298 A01-00304 A27-04143

Remarks: GEN I OWN .80 ACRE, PLUS THE WELL, FROM WHICH I FURNISH THREE (3) OTHER SINGLE FAMILY HOUSEHOLDS, IN ADDITION TO MY OWN, FOR D/USE, IRRIGATION AND STOCKWATER. PLEASE SEE THE PLAT MAP UNDER ATTACHMENT #1. WE ALL SHARE EXPENSES. I SOLD LOTS AS DESCRIBED ON

AJ5809NP
No. A27-04112

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 76

=====

Remarks: ATTACHMENT #1 WITH THE RIGHT TO USE WATER FROM MY WELL.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 07/26/89 ESRBA 10/03/94 JTHOMPSO 03/29/95 POST-STD

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME KERR CLAIM NO. A27-04112DATE RECEIVED 6/1/89 CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|----------|-------|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | _____ | * |
| 2. Is a priority date entered? | <u>X</u> | _____ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | _____ | * |
| 3. (a) Is a source entered? | <u>X</u> | _____ | * |
| (b) Is a tributary to entered? (if required) N/A <u>X</u> | _____ | _____ | _____ |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | _____ | * |
| 5. Is there a description of the diverting works? | <u>X</u> | _____ | _____ |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | <u>X</u> | _____ | * |
| Is the period of use included? | <u>X</u> | _____ | _____ |
| Is a quantity claimed for each use? | <u>X</u> | _____ | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | _____ | _____ |
| 8. If required is a consumptive use entered? | <u>X</u> | _____ | _____ |
| Is the consumptive use correct? N/A <u>X</u> | <u>X</u> | _____ | _____ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <u>X</u> | _____ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | _____ | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | _____ | _____ |
| 12. Is the ownership of p.u. checked? | <u>X</u> | _____ | _____ |
| 13. Are other water rights listed or "none" indicated? | <u>X</u> | _____ | _____ |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | <u>X</u> | _____ | _____ |
| 15. Is the basis of the claim indicated? | <u>X</u> | _____ | _____ |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | <u>X</u> | _____ | _____ |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | <u>X</u> | _____ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | _____ | * |
| 19. Was this claim filed on time, or was an extension granted? | <u>X</u> | _____ | * |
| 20. Is the fee enclosed correct? Exempt | <u>X</u> | _____ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | <u>X</u> | _____ | _____ |
| 22. Should this claim be data entered? | <u>X</u> | _____ | _____ |

Claim checked by: TO Date: 7/13/89Claim must be returned to claimant: (Yes) X (No) _____Claimant must be notified of modifications: (Yes) X (No) _____Receipt Prepared by: _____ Date: _____
Claim data entered by: SS-7-26-89 Date: _____
Sent to claimant by: _____ Date: _____Comments: CLAIM IS FOR SEPARATELY OWNED PROPERTIES BUT ONLYWELL OWNER LISTED AS CLAIMANT.

MICROFILMED

NOV 13 1996

May 30, 1989

Idaho Department of Water Resource
150 West Shoup St. Suite 15
Idaho Falls, Idaho, 83402

RECEIVED

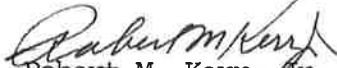
JUN - 1 1989

Department of Water Resources
Eastern District Office

Gentlemen:

I enclose a Notice of Claim of Water Right for a domestic well with my check for \$52.00 which I am informed is the proper fee. If any more money or any other papers are required please let me know.

Yours very truly,


Robert M. Kerr, Jr.
P. O. Box 160
Blackfoot, Idaho, 83221

Phone, 208-785-0990

MICROFILMED
NOV 13 1996

Attachment #2

June 20, 1983

Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

Gentlemen:

Enclosed herewith is my Claim to a Water Right, which has been notarized, together with my check No. 10310 in the sum of \$30.00 in payment of the filing fee.

If it is necessary to me to do anything further, please let me know. Thank you.

Yours very truly,

Robert M. Kerr, Jr.

RMK:v
Enclosures

MICROFILMED
NOV 13 1996

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

P322

Telephone No. 7A5-0990

GROUND WATER

tributary to

(cfs, af)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity .16 Use Domestic Period of Use From 1-1 To 12-31

Quantity .05 Use IRRIGATION Period of Use From 4-1 To 11-30

Quantity .00132 Use Stock Period of Use From 1-1 To 12-31

Quantity	Use	Period of Use From	To
100	100	100	100

(4) 12/132 TOTAL QUANTITY USED.

(cfs, af)

SE 1/4 NE 1/4, Sec. 34 Twp. 2 So. Rge. 35 E B.M., County of BINGHAM

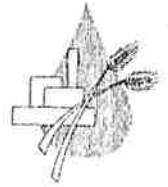
THANK PIPES, NOSES, SPRINKLERS. WELL APPROX 66' deep.

[illegible]

DOMESTIC FOR FOUR RESIDENCES

NOTE: Include here the type and number of stock watered: SIX HORSES

(7) If you are claiming water as a member of an organization, list name of organization: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that ROBERT M KERR JR
(Name of Claimant)
PO BOX 100 BLACKFOOT, IDAHO 83221 Telephone No. 725-0990
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) MAY 26 1962
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
GROUND WATER tributary to _____
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.16</u>	Use <u>DOMESTIC</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>.05</u>	Use <u>IRRIGATION</u>	Period of Use From <u>4-1</u>	To <u>11-30</u>
Quantity	<u>.00132</u>	Use <u>STOCK</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity		Use _____	Period of Use From _____	To _____
Quantity		Use _____	Period of Use From _____	To _____
(4)	<u>.21132</u>	TOTAL QUANTITY USED.		
	(cfs, af)			

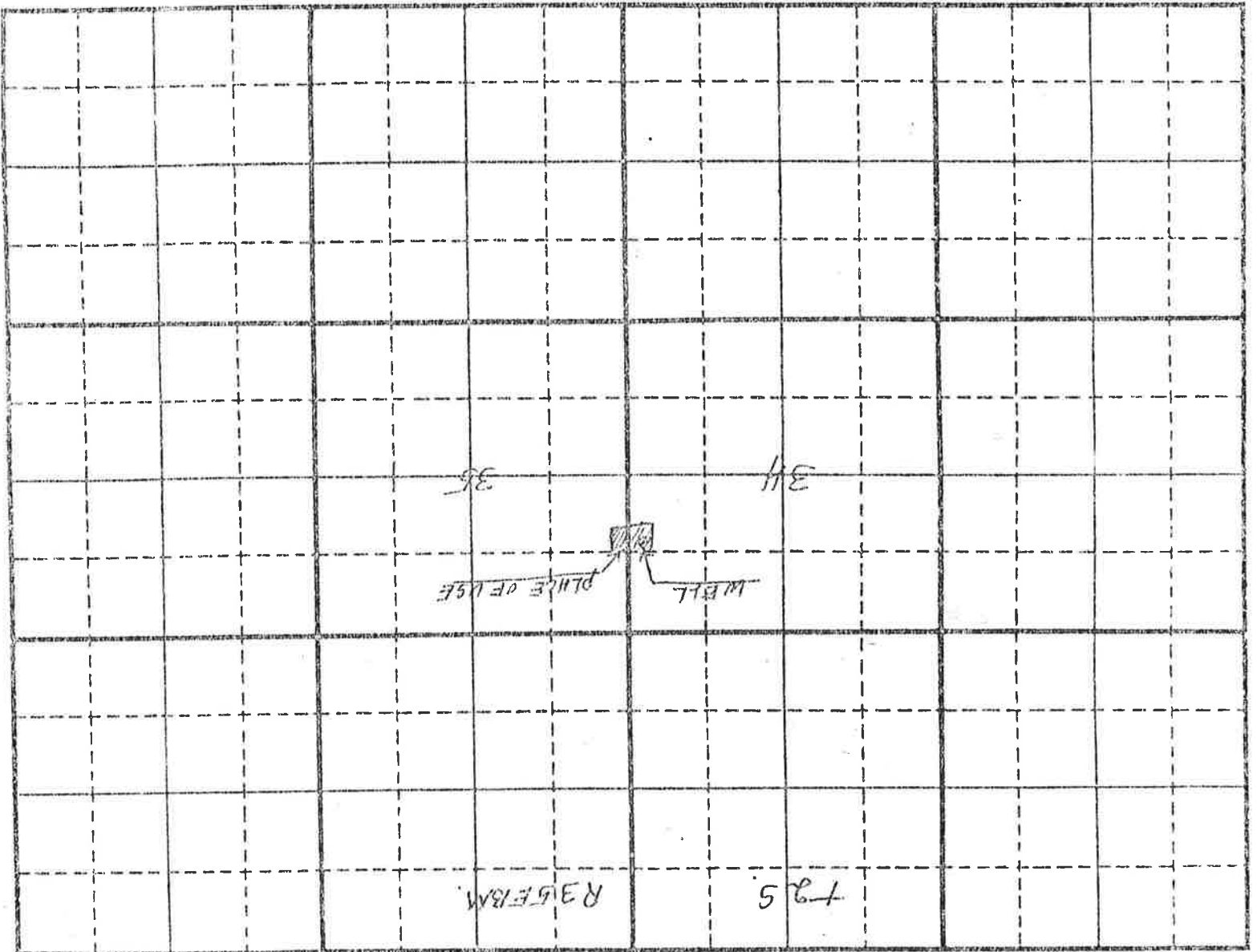
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NE 1/4, Sec. 34 Twp. 2 So. Rge. 35 E B.M., County of BINGHAM
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. WELL, PUMP, 5HP MOTOR (changed to 3HP MOTOR) PRESSURE STORAGE TANK DIRT HOSES SPRINKLERS WELL APPROX 60' DEEP

MICROFILMED
NOV 13 1996

MICROFILMED
NOV 13 1996

Scale: 2 inches equal 1 mile.



(8) Remarks SEE ATTACHED COPIES OF BULK AND CHECK FOR PUMP.

Property of Charlie Shikashio and Tatsuko Shikashio,
2230 Highland Drive, Blackfoot, Idaho, 83221

That portion of Section Thirty-five, Township Two South, Range Thirty-five East of the Boise Meridian, which begins at a point 100 feet South of an iron rod on the South line of the County Road, which iron rod is North $89^{\circ}06'27''$ East 50 feet from a monument described and identified as a cross mark chiseled in the top of an iron wheel hub, which hub is located on the South line of said right-of-way 1,337.20 feet South and 25 feet West from the Northwest corner of said Section Thirty-five, Township Two South, Range Thirty-five East of the Boise Meridian, as located by the U. S. Cadastral Survey of the Bureau of Land Management in 1957 and designated by a brass cap monument; and from such point of beginning, running thence North $89^{\circ}06'27''$ East 175 feet, thence South 100 feet, thence South $89^{\circ}06'27''$ West 175 feet, thence North 100 feet to the point of beginning, together with all water, water rights, ditches and ditch rights of way appertaining thereto.

Property of Frank E. Fullmer & Marjorie W. Fullmer, Route #1, Box 88
Blackfoot, Idaho, 83221.

- ① A portion of the SouthWest quarter of the NorthWest quarter of Section 35, township 2 south, Range 35 East of the Boise Meridian, in Bingham County, Idaho, described as;

Beginning at an iron rod on the South line of the County Road which is North $89^{\circ}06'27''$ East 50 feet from a monument described as a cross mark chiseled in the top of an iron wheel hub which is located on the South line of said right of way 1337.20 feet South and 25 feet West from the Northeast corner of Section 34, Township 2 South, Range 35, East of the Boise Meridian, as located by the U. S. Cadastral Survey of the Bureau of Land Management in 1957 and designated by a brass cap monument; and from such point of beginning running; thence North $89^{\circ}06'27''$ East along the South line of said County Road 175 feet to an iron rod thence South 100 feet thence South $89^{\circ}06'27''$ West 175 feet; thence North 100 feet to the point of beginning.

MICROFILMED
NOV 13 1996

BLACKFOOT OFFICE

First Security Bank of Idaho

NATIONAL ASSOCIATION
BLACKFOOT, IDAHO

No 6380

DATE May 31, 1962

PAY ***ONE THOUSAND ONE HUNDRED SEVENTY-THREE -----DOLLARS \$ 1,173.00

TO THE
ORDER OFAgricultural Services, Inc.
P. O. Box 627
Blackfoot, Idaho

AGENT ACCOUNT

ROBERT M. KERR, JR.

ATTORNEY AT LAW
PHONE: BU 5-0990 P. O. BOX 700
BLACKFOOT, IDAHO

BY _____

Date 5/31/62

Re: Pump

Check No. 6380

Payments as follows for
account of

Kerr House

Report of Receipts and Receiptance

Explanation:	Amount	Name:	Received:		
Payment in full for pump:	\$1173.00		Costs		
			Attorney Fees		
			Fr. and Int.		
			Total Received		
			(Bal. Due)		
			Retained:		
			Costs		
			Fees		
			Total Returned		
			Balance:		
Total:	\$1173.00				

TOTAL AMOUNT OF THIS CHECK

MICROFILMED
NOV 13 1996

BLACKFOOT, IDAHO

Address

\$ Down and \$ on the

19

① 50056

MICROFILMED
NOV 13 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

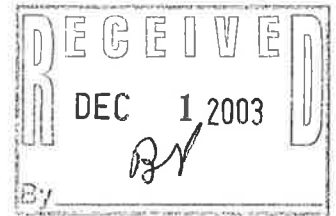
CIVIL CASE NUMBER: 39576

Ident. Number 27-11947
Date Received: 7/16/2003
Receipt No:
Received By:

AMENDED

AMENDED

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



1. Name of Claimant(s)

BENJAMIN G PACK Phone: (208)785-2745

938 E AIRPORT RD
BLACKFOOT ID USA 83221

CHRISTINE PACK Phone: (208)785-2745

938 E AIRPORT RD
BLACKFOOT ID USA 83221

2. Date of Priority: 05/26/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	35E	34	NE SE NE	BINGHAM	

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	0.04	

7. Total Quantity Appropriated is:
0.04 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
02S	35E	34	SE	NE	DOMESTIC	

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

Claim Amended to reflect single family home owned by the Packs. They also have the well on their property for other 3 claimants from parent claim 27-04112.

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

Number of attachments: 0

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): B P m V Date: 11/26/03

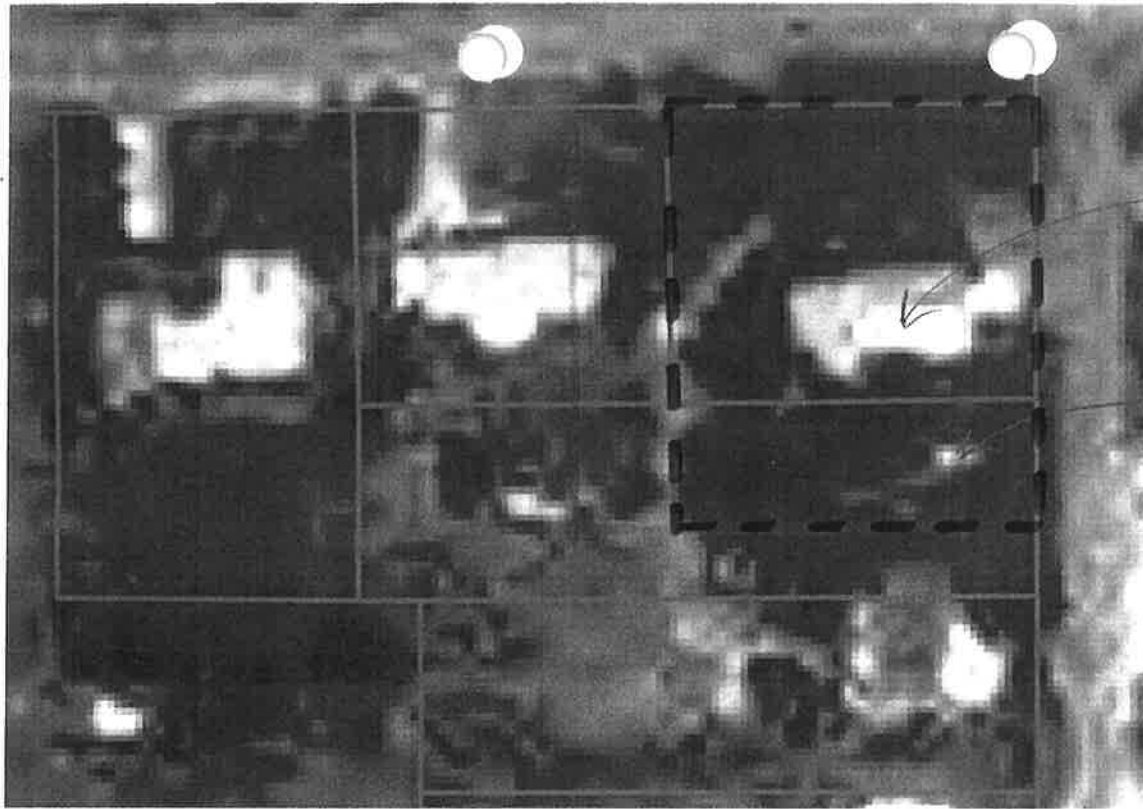
Date: _____

State of Idaho)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of November 2003
[Signature]
Notary Public

Residing at Blackfoot, ID
My commission Expires 04-10-2009





Our house
938 E Airport
Rd, Blacksburg

well house
on our property



SCANNED

JUL 18 2001

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: A27-04112
Date Received: 6/01/1989
Receipt No: E008666
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT M. KERR JR. 208-785-0990
Address: P.O. BOX 160
BLACKFOOT, ID 83221

2. Date of Priority: MAY 26, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	36E	34	NE	SE	NE		BINGHAM

5. Description of diverting works:
WEL 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	0.260	
IRRIGATION	04/01	11/30	0.050 NONE	
STOCKWATER	01/01	12/31	0.001 NO	

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

A.F.A.

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOUSEHOLDS, S/6 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	35E	34	SE	NE		DOMEST	1.2

A27-04112

Page 1

Date: 07/26/89

MICROFILMED
NOV 13 1996

A2704112

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	35E	34	SE	NE		STOCK	
			SE	NE		IRR	
			Section Acres				1.2
		35	SW	NW		DOMEST	0.8
			SW	NW		IRR	
			Section Acres				0.8
			Total Acres				2.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

I OWN .80 ACRE, PLUS THE WELL, FROM WHICH I FURNISH THREE (3) OTHER SINGLE FAMILY HOUSEHOLDS, IN ADDITION TO MY OWN, FOR D/USE, IRRIGATION AND STOCKWATER. PLEASE SEE THE PLAT MAP UNDER ATTACHMENT #1. WE ALL SHARE EXPENSES. I SOLD LOTS AS DESCRIBED ON ATTACHMENT #1 WITH THE RIGHT TO USE WATER FROM MY WELL.

15. Basis of Claim: BENEFICIAL USE

8-1-91
This claim was discussed among Greg, Skip + Go. Skip said there were more involved in 1983 and let them file his Statutory claim. as is. Now, each claimant will need to file on their portion of the well - closing OH 112 A, B, C, etc. (to track)
Go

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 _____

152

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

A27-04112

Date Received

6/1/89

Receipt Number

E008666

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN - 1 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Robert M. Kerr, Jr. Phone (208) 785-0990Mailing Address P.O. Box 160, Blackfoot, Idaho Zip 832212. Date of Priority (Only one (1) per claim) May 26, 19623. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 2 South Range 35 E.B.M. Section 34,
NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, - B.M., County of BinghamAdditional points of diversion if any: Noneb. If instream flow, beginning point of claimed instream flow is: N/A

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

Govt. Lot _____ B.M., County of _____

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

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

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

Well, 8" casing, 66 feet deep, 3 H.P. submersible pump, piped to four (4) single
family households, each under separate ownership, with the well in the ownership
of above listed claimant, Robert M. Kerr, Jr. A 2" line delivers water to each
household for Domestic and Irrigation use. One household uses a small quantity
c.f.s for stockwater.

MICROFILMED
NOV 13 1996

MICROFILMED
NOV 13 1996
Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Domestic purposes from 1/1 to 12/31 amount .16 or _____

For Irrigation purposes from ~~11/30~~ 4/1 to ~~4/30~~ 11/30 *ARK* amount .05 or _____

For Stockwater purposes from 1/1 to 12/31 amount .00132 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .21132 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is Six (6) acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic- serves four (4) single family households
Stockwater- Sufficient for six (6) head of horses

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2 So.	35 E	34				<u>D & S</u> 1.2													1.20
2 So.	35 E	35							.80										.80

Total number of acres irrigated 2.0

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

12. Do you own the property listed above as place of use? Yes _____ No X (Only a portion- see If your answer is No, describe in Remarks below the authority you have to claim this water right. #14 below.)

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

14. Remarks: I own .80 acre, plus the well, from which I furnish three (3) other single family households, in addition to my own, for domestic use, irrigation & stockwater. Please see the Plat Map under attachment #1. We all share expenses. *ARK*
I sold lots as described on attachment #1, with the right to use water from my well and pump.

Last Name B. Kerr Ident No. SS #

Copies: **MICROFILMED**
State, Yellow-Claimant
 NOV 13 1996

lease note attachment No. 2, attached, which is a copy of the Claim To A Water Right which
s sent to your office 6/20/83. I know knowledge I have never received a license or permit No.??

15. Basis of Claim (check one) Beneficial Use ☒ 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 Two (2)

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

Signature of Claimant (s) *Rahut McKen Jr* Date May 30 1989

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

☒ State of Idaho/or _____)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 30th day of May 19 89

SEAL

Notary Public Larry A. McKee

Residing at Blanchard, Ida

My Commission Expires 5/30/95

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

NOV 13 1996

Last Name R. Kerr Ident. Number SS#

Copies White-State, Yellow-Claimant

PLOT MAP

Attachment #1

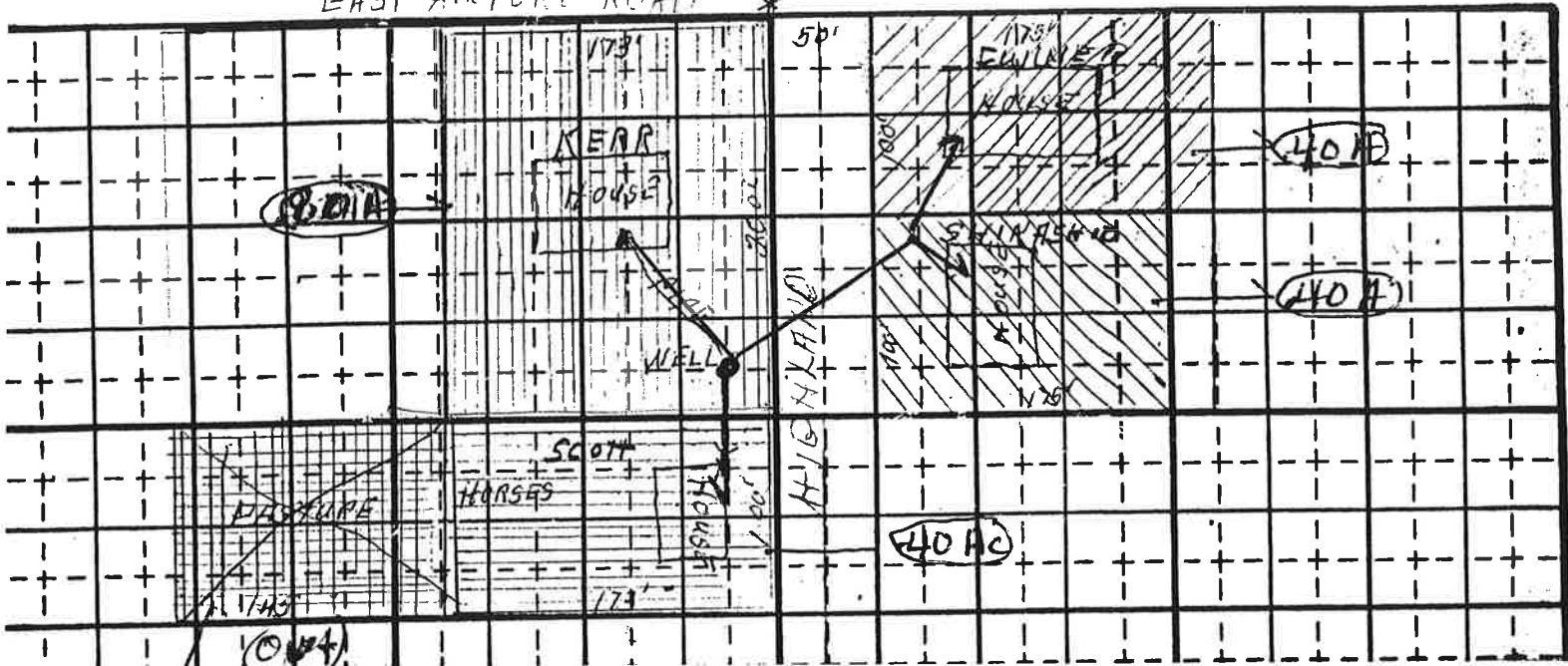
Map of Project: show clearly the position, place of use, section number, p, and range number.

Scale: 2 inches equals 200 feet

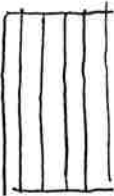
PART OF SE 1/4 NE 1/4 SEC. 34, T2S, R35 EBM

PART OF SW 1/4 NW 1/4 of SEC. 35, T2S, R35 EBM

EAST AIRPORT ROAD



This parcel is
flood irrigated from
the Dipple Ditch.



Property of Robert M. Kerr, Jr. & Ann T. Kerr, P. O. Box 160,
Blackfoot, Idaho, 83221, located in the SE 1/4 NE 1/4 Sec. 34, T2S, R35 EBM

Beginning at a monument described as a cross mark
chiseled in the top of an iron wheel hub which is
located on the South line of the right-of-way of
a County road 1337.20 feet South and 25 feet West
from the Northeast corner of Section 34 Township
2S Range 35 E.B.M. as located by the US Cadastral
survey of the Bureau of Land Management in 1957,
and designated by a brass cap monument, and from
such point of beginning running thence South 89°06'27"
West 173 feet; thence South 200 feet; thence North
89°06'27" East 173 feet; thence North 200 feet to
the point of beginning.

Property of Donald L. Scott & Mary S. Scott, 2215 Highland Drive, Blackfoot,
Idaho, 83221, located in the SE 1/4 NE 1/4 of Sec. 34, T. 2 S. R. 35 EBM.

Beginning at an iron rod which is 300 feet South of a monument described
as a cross mark chiseled in the top of an iron wheel hub which is located
on the South line of the right of way of a county road, which monument is
1337.20 feet South and 25 feet West from the Northeast corner of Section
34, Township 2 South, Range 35, East of the Boise Meridian, as located
by the U.S. Cadastral Survey of the Bureau of Land Management in 1957 and
designated by a brass cap monument; and from such point of beginning
running thence South 89°06'27" West 313 feet to an iron rod; thence North
100 feet to an iron rod; thence North 89°06'27" East to an iron rod; thence
South 100 feet to the point of beginning.

LAST 174110

B. Kerr

MICROFILMED

NOV 15 1986