

03/15/2011

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

RIGHT NUMBER: 27-12229

NAME AND ADDRESS: CHARLIE M POWERS
623 W 300 S
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 04/01/1883

POINT OF
DIVERSION:

T03S R35E S18 SWNE Lot 6 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.040 CFS

PLACE OF USE:

IRRIGATION in BINGHAM County

T03S R34E S24 Lot 1 NENE 1.80

1.8 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH RIVERTON DITCH.

This right is a split from former right 27-26C.

SCANNED

MAR 16 2011

03/15/2011

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

RIGHT NUMBER: 27-12230

NAME AND ADDRESS: SCOTT STECKLEIN
757 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.380 CFS

PRIORITY DATE: 04/01/1883

POINT OF
DIVERSION:

T03S R35E S18 SWNE Lot 6 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.380 CFS

PLACE OF USE:

IRRIGATION in BINGHAM County

T03S R34E S24 Lot 1 NENE 10.70

T03S R34E S24 Lot 2 SENE 7.00

17.7 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH RIVERTON DITCH.

This right is a split from former right 27-26C.

SCANNED
MAR 16 2011



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

March 15, 2011

Scott Stecklein
757 W Riverton Rd
Blackfoot ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for
27-26C (Split into 27-12229 & 27-12230) and Notice of Completed Administrative
Proceeding (NCAP)

Dear SIR/MADAM:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

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 the water right(s) as recorded in the SRBA.

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

Respectfully,

Jonie Barg
Technical Records Specialist

Enclosure

cc: Water District 27

SCANNED

MAR 16 2011

RECEIVED

FEB 07 2011

STATE OF IDAHO

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
Adj 27-260	Yes ☒		Yes ☐		Yes ☐
Split into	Yes ☒	27-12229 + 27-12230	Yes ☒		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Charlie Powers

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Scott L Stecklein

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and☐ or☐ and/or

757 W Riverton Rd.

Mailing address

Blackfoot

City

ID

State

83221

ZIP

(208) 681-0063

Telephone

681-1594

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 12/9/2010

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per undivided water right.
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

7. Signature:

Scott Stecklein

Signature of new owner/claimant

Title, if applicable

Feb 6 2011

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

Receipt No.

Receipt Amt.

Approved by

Processed by

Date

SCANNED

MAR 16 2011

AFTER RECORDING MAIL TO:

First American Title Company
168 West Pacific Street
Blackfoot, ID 83221

Instrument # 624072

BINGHAM COUNTY, IDAHO
12-09-2010 04:04:41 PM No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - BL
SARA J. STAUB Fee: 19.00
Ex-Officio Recorder Deputy BMarlatt
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

CORPORATE WARRANTY DEED

File No.: 363191-B (Id)

Date: December 08, 2010

For Value Received, **EMM Asset Management, Inc.**, a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby grant, bargain, sell and convey unto **Scott L. Stecklein, an unmarried man**, Grantee, whose address is **623 West 300 South, Blackfoot, ID 83221**, the following described real estate, to wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

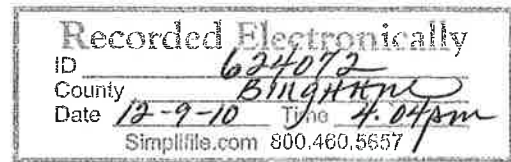
SUBJECT TO current years taxes, irrigation district assessments, public utility easements, subdivision and U.S. patent reservations.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, and that Grantor will warrant and defend the same from all claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its PRESIDENT this 8th day of DECEMBER, 20 10.

AFTER RECORDING MAIL TO:

First American Title Company
168 West Pacific Street
Blackfoot, ID 83221



CORPORATE WARRANTY DEED

File No.: **363191-B (Id)**

Date: **December 08, 2010**

For Value Received, **EMM Asset Management, Inc.**, a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby grant, bargain, sell and convey unto **Scott L. Stecklein, an unmarried man**, Grantee, whose address is **623 West 300 South, Blackfoot, ID 83221**, the following described real estate, to wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO current years taxes, irrigation district assessments, public utility easements, subdivision and U.S. patent reservations.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, and that Grantor will warrant and defend the same from all claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its PRESIDENT this 8th day of DECEMBER, 20 10.

APN: RP0263608

Warranty Deed
- continued

File No.: 363191-B (Id)
Date: 12/08/2010

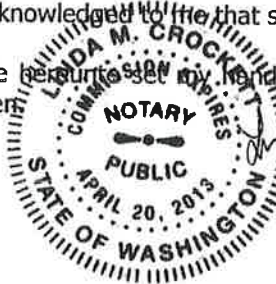
EMM Asset Management, Inc.

Evelyn Marie Marshall
By: Evelyn Marie Marshall, President

STATE OF Washington)
COUNTY OF Lewis)
SS.

On this 8th day of December, 2010, before me, a Notary Public in and for said State, personally appeared Evelyn Marie Marshall, known or identified to me to be the president of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Linda M. Crockett
Notary Public for the State of Washington
Residing at: Centralia, Washington
My Commission Expires: 4-20-2013

SCANNED

MAR 16 2011

Date: December 09, 2010

File No.: 363191-B (Id)

EXHIBIT 'A'

LEGAL DESCRIPTION:

PART OF LOTS 1 & 2, SECTION 24, TOWNSHIP 3 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:

BEGINNING AT A POINT THAT IS S. 89°02'00" W. ALONG THE SECTION LINE 890.21 FEET FROM THE NE CORNER OF SAID SECTION 24; AND RUNNING THENCE S. 00°07'16" E. 1368.56 FEET; THENCE ALONG THE RIGHT BANK OF THE BLACKFOOT RIVER S. 04°15'28" E. 164.05 FEET; THENCE S. 48°06'48" E. 80.46 FEET; THENCE S. 36°38'45" W. 142.60 FEET; THENCE S. 20°24'37" E. 246.10 FEET; THENCE S. 48°53'03" W. 187.77 FEET; THENCE N. 86°25'28" W. 165.47 FEET; THENCE S. 56°17'12" W. 136.06 FEET; THENCE S. 25°14'30" W. 202.91 FEET; THENCE LEAVING SAID RIVER BANK AND FOLLOWING A FENCE LINE N. 00°01'05" E. 2295.90 FEET TO THE NORTH SECTION LINE OF SAID SECTION 24; THENCE N. 89°02'00" E. ALONG SAID SECTION LINE 419.98 FEET TO THE POINT OF BEGINNING.

EXCEPT: BEGINNING AT A POINT THAT IS S. 89°02' W. ALONG THE SECTION LINE 990.21 FEET FROM THE NE CORNER OF SAID SECTION 24, TOWNSHIP 3 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, AND RUNNING THENCE S. 00°01'05" W. 230.00 FEET; THENCE S. 89°02' W. 150.00 FEET; THENCE N. 00°01'05" E. 230.00 FEET; THENCE N. 89°02' E. 150.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT: BEGINNING AT A POINT THAT IS S. 89°02' W. ALONG THE SECTION LINE 990.21 FEET FROM THE NE CORNER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, AND RUNNING THENCE S. 00°01'05" W. 230.00 FEET TO THE REAL POINT OF BEGINNING; THENCE S. 00°01'05" W. 61.00 FEET; THENCE S. 89°02' W. 150.00 FEET; THENCE N. 00°01'05" E. 61.00 FEET; THENCE N. 89°02' E. 150.00 FEET TO THE REAL POINT OF BEGINNING.

ALSO EXCEPT: A PARCEL OF LAND LOCATED IN THE NE¼ OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:

COMMENCING AT THE NE CORNER OF SAID SECTION 24; THENCE ALONG THE NORTH LINE OF SAID SECTION 24 S. 89°02'00" W. A DISTANCE OF 890.21 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE EAST LINE OF DEED INSTRUMENT NO. 567950 AS RECORDED IN THE BINGHAM COUNTY COURTHOUSE, S. 00°07'16" E. A DISTANCE OF 320.56 FEET; THENCE S. 89°35'00" W. A DISTANCE OF 250.75 FEET; THENCE N. 00°01'05" E. A DISTANCE OF 27.16 FEET; THENCE ALONG THE SOUTH LINE OF DEED INSTRUMENT NO. 429988, AS RECORDED IN THE BINGHAM COUNTY COURTHOUSE, N. 89°02'00" E. A DISTANCE OF 150.00 FEET; THENCE ALONG THE EAST LINE OF DEED INSTRUMENT NO. 429988 AND 499363, AS RECORDED IN THE BINGHAM COUNTY COURTHOUSE, N. 00°01'05" E. A DISTANCE OF 291.00 FEET TO THE NORTH LINE OF SAID SECTION 24; THENCE ALONG SAID NORTH LINE OF SECTION 24 N. 89°02'00" E. A DISTANCE OF 100.00 FEET TO THE TRUE POINT OF BEGINNING.

RECEIVED

FEB 07 2011 518176

Department of Water Resources
Eastern Region

(Amended - Corrected Legal Description)
WARRANTY DEED

RESERVING A LIFE ESTATE

519018

FOR VALUE RECEIVED CHARLES M. POWERS and EVELYN POWERS of 623 West

300 South, Blackfoot, Idaho 83221, the Grantors, do hereby grant, bargain, sell, and convey unto EMM, INC., an Idaho corporation, of PO Box 200, Salkum, Washington 98582, the Grantees, the following described premises to-wit:

See attached Exhibit A.

Approximate location is 623 W 300 S, Blackfoot, ID 83221.

GRANTORS reserve in themselves a life estate to occupy the property until the death of both Grantors.

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 said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED and signed this 17th day of October 2002.

Charles M. Powers
CHARLES M. POWERS
DOB: 01/30/28
SS#: 519-28-8149

Evelyn Powers
EVELYN POWERS
DOB: 12/21/29
SS#: 519-52-9699

STATE OF IDAHO)
County of Bingham) ss.

On this 17th day of October 2002, before me, the undersigned, a notary public in and for said state, personally appeared CHARLES M. POWERS and EVELYN POWERS, known to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that 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.



Scott H. Huns
Notary Public for State of Idaho
Residing at Blackfoot

2002 NOV 17 PM 4:41
RECORDED AT THE REQUEST OF
BINGHAM COUNTY RECORDER
BLACKFOOT ID 83221
FEE \$15.00
DB 2002-0594

Blair Simon Huns
PO Box 1047
Blackfoot ID 83221

EXHIBIT A

Parts of Lots 1 & 2 Section 24 T3S R34 EBM described:

Beginning at a point that is S 89°02'00" W along the Section line 890.21' from the NE corner of said Section 24, and running thence S 00°07'16" E 1368.56'; thence along the right bank of the Blackfoot River S 04°15'28" E 164.05'; thence S 48°06'48" E 80.46'; thence S 36°38'45" W 142.60'; thence S 20°24'37" E 246.10'; thence S 48°53'03" W 187.77'; thence N 86°25'28" W 165.47'; thence S 56°17'12" W 136.06'; thence S 25°14'30" W 202.91'; thence leaving said river bank and following a fence line N 00°01'05" E 2295.90' to the N Section line of said Section 24, thence N 89°02'00" E along said Section line 419.98' to the point of beginning. Subject to a county road right of way on the N side.

Less

Beginning at a point that is South 89°2' West along the Section line 990.21 feet from the NE corner of said Section 24; thence South 00°01'05" West 230 feet; thence South 89°02' West 150.0 feet; thence North 00°01'05" East 230.0 feet; thence North 89°02' East 150.0 feet to the point of beginning.

Less

Beginning at a point that is South 89°02' West along the Section line 990.21 feet from the NE corner of Section 24; thence South 0°01'05" West 230.0 feet to the REAL POINT OF BEGINNING; thence South 00°01'05" West 61.0 feet; thence South 89°02' West 150.0 feet; thence North 00°01'05" East 61.0 feet; thence North 89°02' East 150.0 feet to the REAL POINT OF BEGINNING.

519018

**QUITCLAIM DEED
RELEASE OF LIFE ESTATE**

MAR 16 2011

EXHIBIT A

Parts of Lots 1 & 2 Section 24 T3S R34 EBM described:

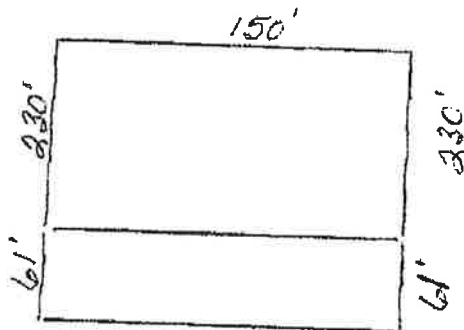
Beginning at a point that is S 89°02'00" W along the Section line 890.21' from the NE corner of said Section 24, and running thence S 00°07'16" E 1368.56'; thence along the right bank of the Blackfoot River S 04°15'28" E 164.05'; thence S 48°06'48" E 80.46'; thence S 36°38'45" W 142.60'; thence S 20°24'37" E 246.10'; thence S 48°53'03" W 187.77'; thence N 86°25'28" W 165.47'; thence S 56°17'12" W 136.06'; thence S 25°14'30" W 202.91'; thence leaving said river bank and following a fence line N 00°01'05" E 2295.90' to the N Section line of said Section 24, thence N 89°02'00" E along said Section line 419.98' to the point of beginning. Subject to a county road right of way on the N side.

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Less

Beginning at a point that is South 89°02' West along the Section line 990.21 feet from the NE corner of Section 24; thence South 0°01'05" West 230.0 feet to the REAL POINT OF BEGINNING; thence South 00°01'05" West 61.0 feet; thence South 89°02' West 150.0 feet; thence North 00°01'05" East 61.0 feet; thence North 89°02' East 150.0 feet to the REAL POINT OF BEGINNING.



567950

43,650'

SCANNED

MAR 16 2011

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: 27-26C
(Split into 27-12229 & 27-12230)

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

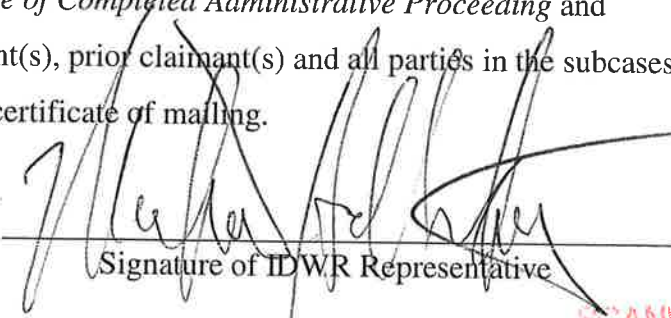
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party POWERS-STECKLEIN
- ☐ 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: 3/15/2011



Signature of IDWR Representative

SCANNED

MAR 16 2011

CERTIFICATE OF MAILING

I certify that on March 16, 2011, 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:
Charlie M Powers
623 W 300 S
Blackfoot ID 83221

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Scott Stecklein
757 W Riverton Rd
Blackfoot ID 83221

4. One copy to:

Each party in the subcase, or attorney of record	
Committee of Nine	Committee of Nine
Represented by:	Represented by:
Barker Rosholt & Simpson LLP	Ray W Rigby
113 Main Ave W Ste 303	25 N 2 nd E
PO Box 485	PO Box 250
Twin Falls ID 83303	Rexburg ID 83440-0250

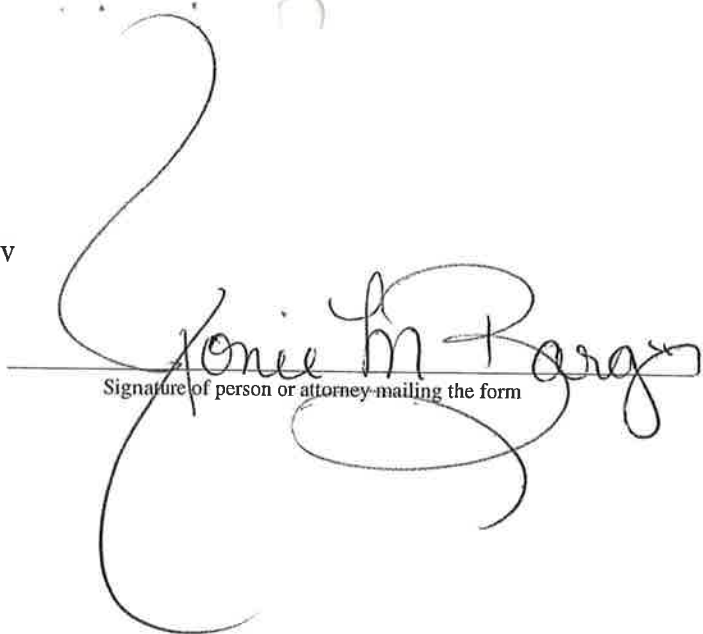
Shoshone Bannock Tribes
Represented by:
Jeanette Wolfley
202 N Arthur
Pocatello ID 83202

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

03/15/2011

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER

CLAIM DISPOSITION

REASON

27-26C

Disallowed

Split into 27-12229 & 27-12230