

05/16/2003

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

RIGHT NUMBER: 29-326

NAME AND ADDRESS: FRANK D WINWARD
PO BOX 7
DOWNEY ID 83234

SOURCE: STATION CREEK

TRIBUTARY: BIRCH CREEK

QUANTITY: 1.920 CFS

THE AMOUNT OF WATER DIVERTED UNDER THIS WATER RIGHT MAY NOT EXCEED ONE-FIFTH OF THE STREAM FLOW OF STATION CREEK AT THE POINT OF DIVERSION AT ANY GIVEN TIME. THIS WATER RIGHT SHALL NOT PROVIDE MORE THAN 0.02 CUBIC FEET PER SECOND PER ACRE AT ANY TIME.

USE OF THIS RIGHT WITH RIGHT NO. 29-00328C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.92 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-00328C SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S2 SENESW Rediversion Within BANNOCK County Source: STATION CREEK

T12S R36E S3 SESESE Injection Within BANNOCK County Source: STATION CREEK

T12S R36E S3 SESESE Within BANNOCK County Source: STATION CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.920 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T12S R36E S01	SWSW	21.0	T12S R36E S02	NESE	35.0
T12S R36E S02	SESE	40.0			

96 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-328C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 96 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Decreed

05/06/2003

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

RIGHT NUMBER: 29-326

NAME AND ADDRESS: FRANK D WINWARD
PO BOX 7
DOWNEY ID 83234

SOURCE: STATION CREEK

TRIBUTARY: BIRCH CREEK

QUANTITY: 1.920 CFS

THE AMOUNT OF WATER DIVERTED UNDER THIS WATER RIGHT MAY NOT EXCEED ONE-FIFTH OF ALL THE WATERS OF STATION CREEK AT THE POINT OF DIVERSION DESCRIBED BELOW AT ANY GIVEN TIME.

USE OF THIS RIGHT WITH RIGHT NO. 29-00328C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.92 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-00328C SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S2 SENESW Rediversion Within BANNOCK County Source: STATION CREEK

T12S R36E S3 SESESE Injection Within BANNOCK County Source: STATION CREEK

T12S R36E S3 SESESE Within BANNOCK County Source: STATION CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.920 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T12S R36E S01	SWSW	21.0	T12S R36E S02	NESE	35.0
T12S R36E S02	SESE	40.0			

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EXPLANATORY MATERIAL: Decreed

11/15/2002

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

RIGHT NUMBER: 29-326

NAME AND ADDRESS: FRANK D WINWARD
PO BOX 7
DOWNEY ID 83234

SOURCE: STATION CREEK

TRIBUTARY: BIRCH CREEK

QUANTITY: 1.920 CFS

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PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S2 SENESW Rediversion Within BANNOCK County

T12S R36E S3 SESESE Injection Within BANNOCK County

T12S R36E S3 SESESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.920 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T12S R36E S01	SWSW	21.0	T12S R36E S02	NESE	35.0
T12S R36E S02	SESE	40.0			

96 ACRES TOTAL

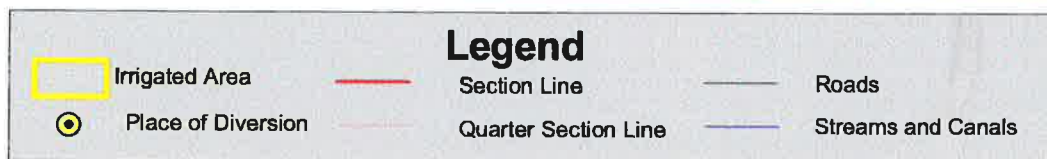
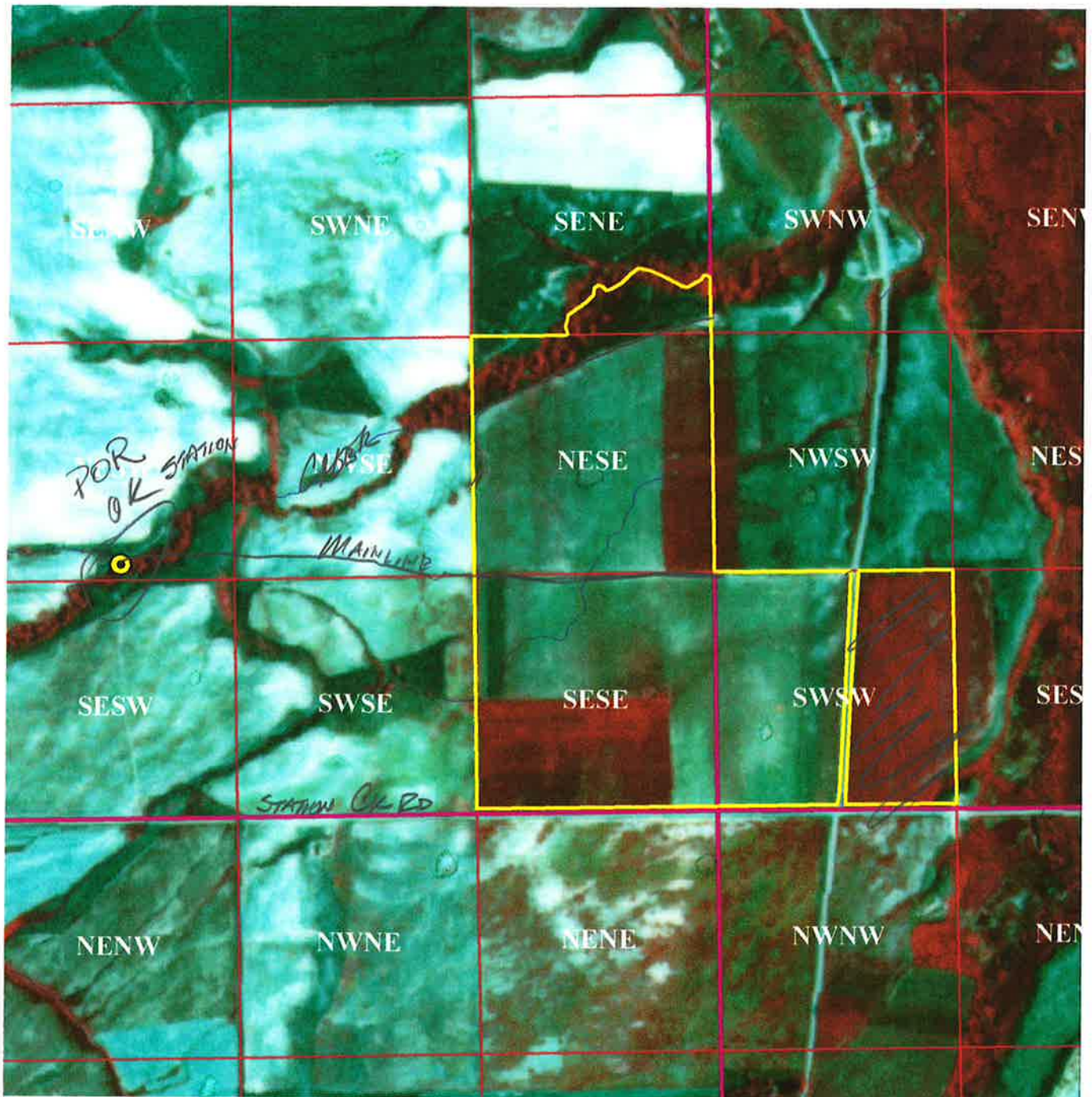
USE OF THIS RIGHT WITH RIGHT NO. 29-328C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 96 ACRES IN A SINGLE IRRIGATION
SEASON.

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

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

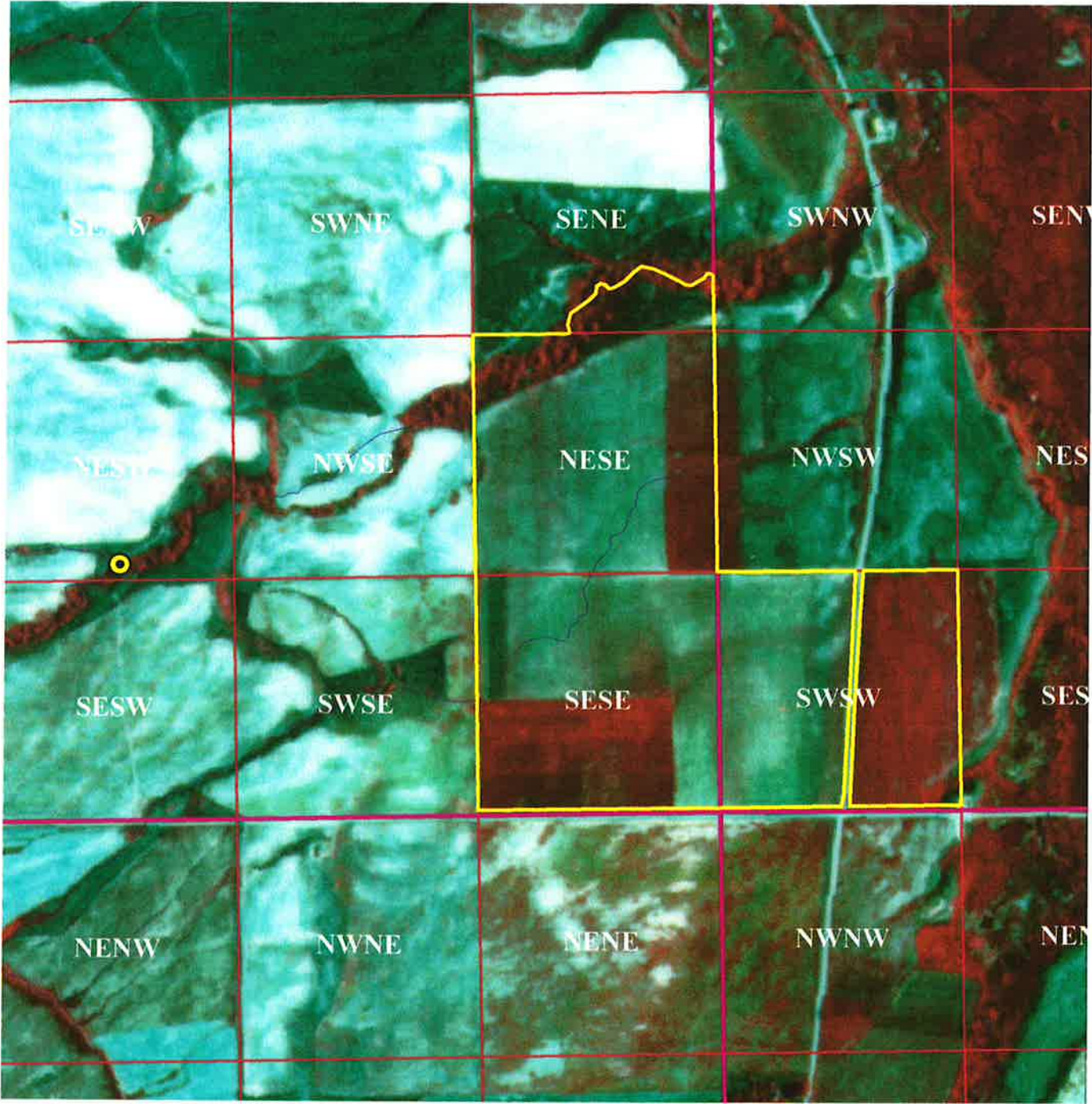
EXPLANATORY MATERIAL: Decreed

Township , 12S36E



11/14/02
POD

Township , 12S36E



 Irrigated Area

 Place of Diversion

Section Line

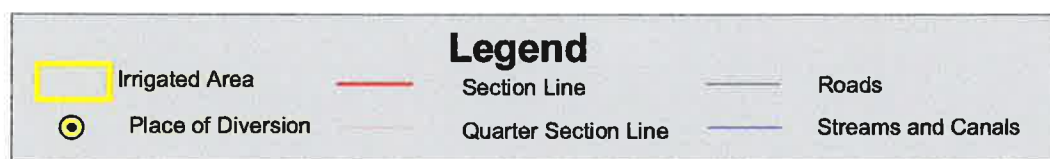
Quarter Section Line

Roads

Streams and Canals

Legend







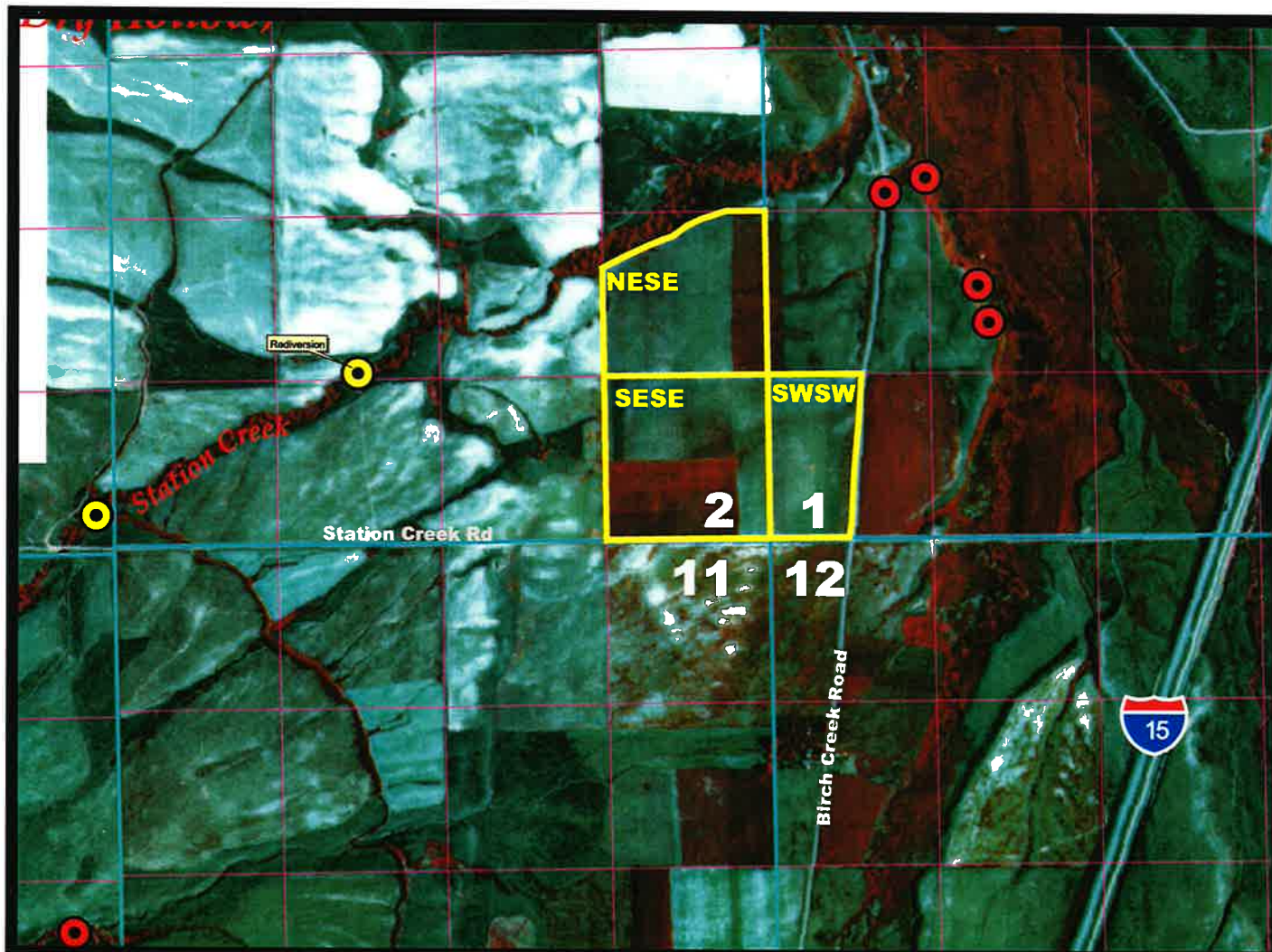
PROTECTED

SEP 26 2005

State of Idaho

Department of Water Resources

Eastern Region



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 Feet

Water Right(s):

**29-00326,
29-00328C**

**Place of Use: (parts of) T12S, R36E
Sec. 1 SWSW, Sec. 2 W2SE**

**Point(s) of Diversion: T12S, R36E
Sec. 3 SESESE (POD Station Ck)
Sec. 2 SENESW (POR Station Ck)
Sec. 23 SESENE (POR Birch Ck)
Sec. 27 SENWSW (2-POD/2-POI Birch Ck)**

**Note: Birch Creek water is delivered
through the Birch Creek Ditch.**



LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: November 2002



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
June 4, 2003

TO: Basin 29 Surface Water User

I am writing this letter to you as a courtesy to inform you that after review of the Department of Water Resource's preliminary recommendation for your water right(s), a quantity remark has been added. The quantity remark will reflect how your water right(s) was historically decreed in a prior decree. The prior decree recognized the quantity for your water right(s) as a fractional amount of the stream flow listed from the source on your water right. You can expect the Department's Director's Report, which is to be filed with the SRBA Court sometime in July, to include a quantity remark as follows:

The amount of water diverted under this water right may not exceed (*decreed percent or fraction*) of the stream flow of (*decreed source*) at the point of diversion described above at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

The information in parentheses and italics will reflect whatever fraction and source is correct for your water right(s).

If you disagree with the inclusion of this quantity remark in your water right, you will be able to file an objection with the SRBA Court. A Notice of Filing Director's Report will be mailed to you along with the Director's Report for your water right(s) sometime in July. This Notice will outline the deadlines and process for filing an objection to your water right(s).

If you have any further questions regarding this matter, you can contact me at 208-327-7900.

Very truly yours,

A handwritten signature in black ink, appearing to read "Candice M. McHugh", is written over the typed name.

Candice M. McHugh
Deputy Attorney General, IDWR

cc: Allen Ruberry
CMM/pm

PROFILED

Natural Resources Division - Water Resources Unit
1301 North Orchard St., Boise, Idaho 83706-2237
Telephone: (208) 327-7920; Legal FAX: (208) 327-7866
Adjudication FAX: (208) 327-5400

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Claim No.	Claimant	Fract.	Q by Rec	Acres	Stream	Remarks
<u>Phillips vs Edwards Decree, 1924..... Rowley Creek</u>						
29-11242	Wm Phillips	1/2	1.50	75.0	Rowley Ck	
29-12020	P Fergus	1/4	2.02	100.8	Rowley Ck	
29-13469	K Williams	1/4	2.52	126.0	Rowley Ck	

Claimed in-full

<u>Wakley vs Wakley, 1904..... Station Creek</u>						
29-00321	Vaughan, et al	1/5	3.91		Station Ck	
29-00326	F Winward	1/5	1.92	96.0	Station Ck	
29-10461	Lazy VZ Trust	2/5	3.08		Station Ck	
29-11699	P Adams	1/5	5.64	282.2	Station Ck	

Decreed right(s) claimed in-full

29-13476	TJL Properties		0.065		Station Ck	Recommended as BU, Priority 6/10/1904
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Wakley vs Wakley, 1904.....Dry Hollow (Big Ck) and Maple Ck (Mines Canyon)

29-00317A	Vaughan, et al	4/4 0/0	3.91		Big Ck/Maple Ck	DISALLOWED-ownership not proven
29-00320	Vaughan, et al	1/4	3.91		Big Ck/Maple Ck	
29-10462	Lazy VZ Trust	4/4 1/2	1.23		Big Ck/Maple Ck	Recommended as 1/2 flow **
29-11698	P Adams	1/4	5.64	282.2	Big Ck/Maple Ck	

Claimed in-full

29-11700	P Adams	XX	0.36	282.2	Unnamed Strm	Beneficial Use
29-10407	TJL Properties	XX	0.07		Big Ck/Maple Ck	Recommended as BU, Priority 6/10/1904

Daniels vs Woodland, 1878..... Birch Creek

29-13103	Malad Valley Irr	3/4	6.20	Lg POU	Birch Ck	
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Marsh Creek side (B29) users got 1/4 of the flow of Birch Creek as shown below.

Wakley vs Wakley, 1904..... Birch Creek

29-00322	Vaughan, et al	4/24	3.91	195.3	Birch Ck	
29-00327	Marler/Gardner	2/24	2.54	128.0	Birch Ck	
29-00328A	K Williams	1/24	2.52	126.0	Birch Ck	
29-00328B	P Fergus	5/24	2.02	100.8	Birch Ck	
29-00328C	F Winward	2/24	1.92	96.0	Birch Ck	
29-00329	F Winward	2/24	0.80	40.0	Birch Ck	
29-11241	Wm Phillips	2/24	1.50	75.0	Birch Ck	
29-11650	TJL Properties	2/24	1.76	88.0	Birch Ck	
29-11697	P Adams	4/24	5.64	282.2	Birch Ck	

Claimed in-full

Notes:

** Re; 29-10462 see Transfer #3032 Claim combines 29-317 and 29-330C (which recombines A & B)
The Decree of Davis vs Treasure only involves Birch Creek water.

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SCANNED
SEP 26 2005

Allen

02/18/2003

NOTICE OF ERROR
REPLY

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-326

FRANK D WINWARD

PO BOX 7

DOWNEY ID 83234

Telephone Number: (208) 897-5986

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

* I would like The Diversion rate and The remarks from The original Water Right Deed included in The new Proposed Water Right

3. Give a brief explanation as to why you disagree with these portions:

___ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 20 APRIL 03

SIGNATURE:

Frank D Winward

Please print your name:

FRANK D WINWARD

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

* REFERENCE IS MADE TO LANGRISH OR WAKLOS vs WAKLOS, 1904 WHERE A SPECIFIC Q IS NOT DISCUSSED, ONLY AS $(1/5)$ ONE-FIFTH OF ALL THE WATERS OF STATION CREEK.

Done 5/6/03 ASR

PROTECTED

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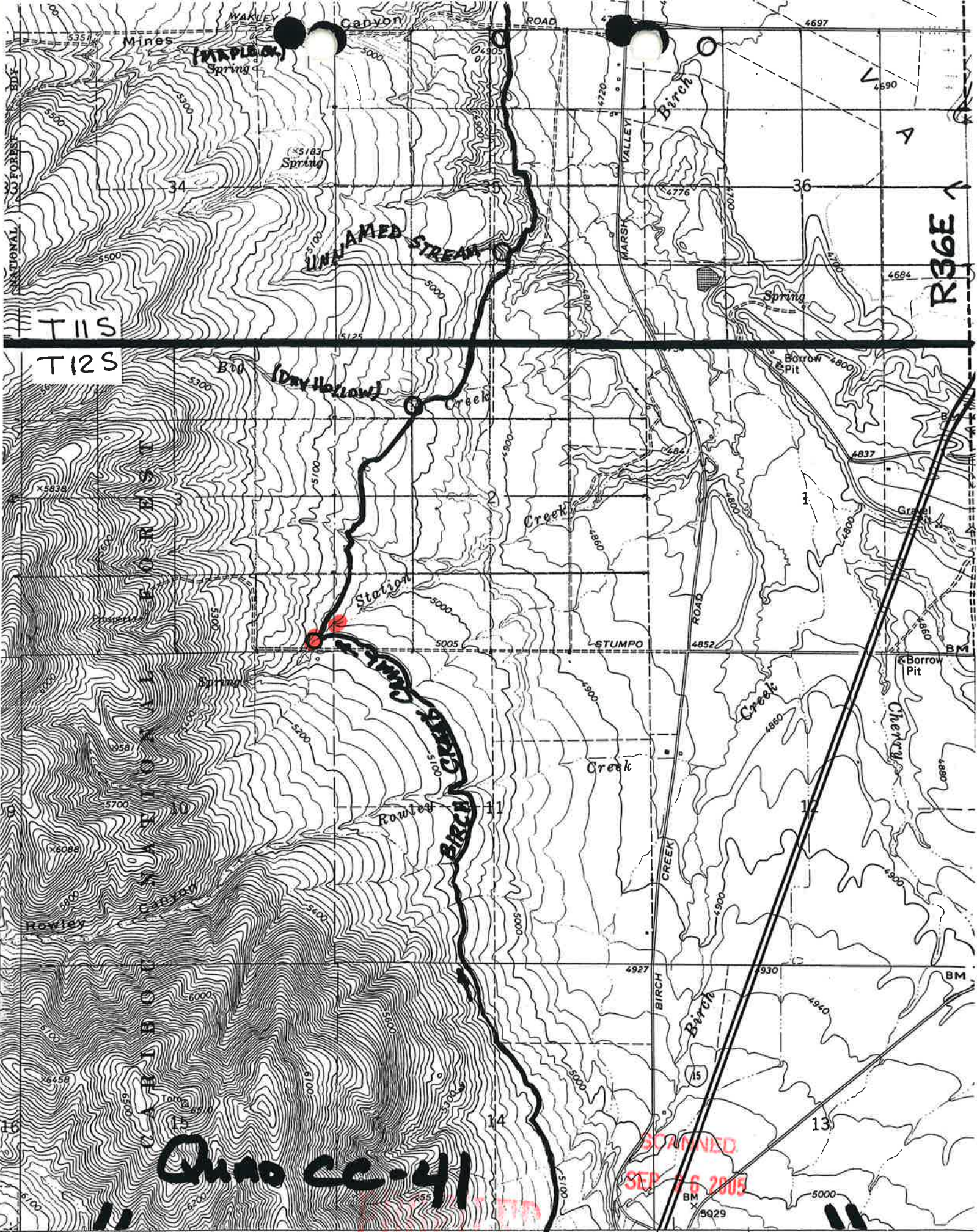
SEP 26 2005

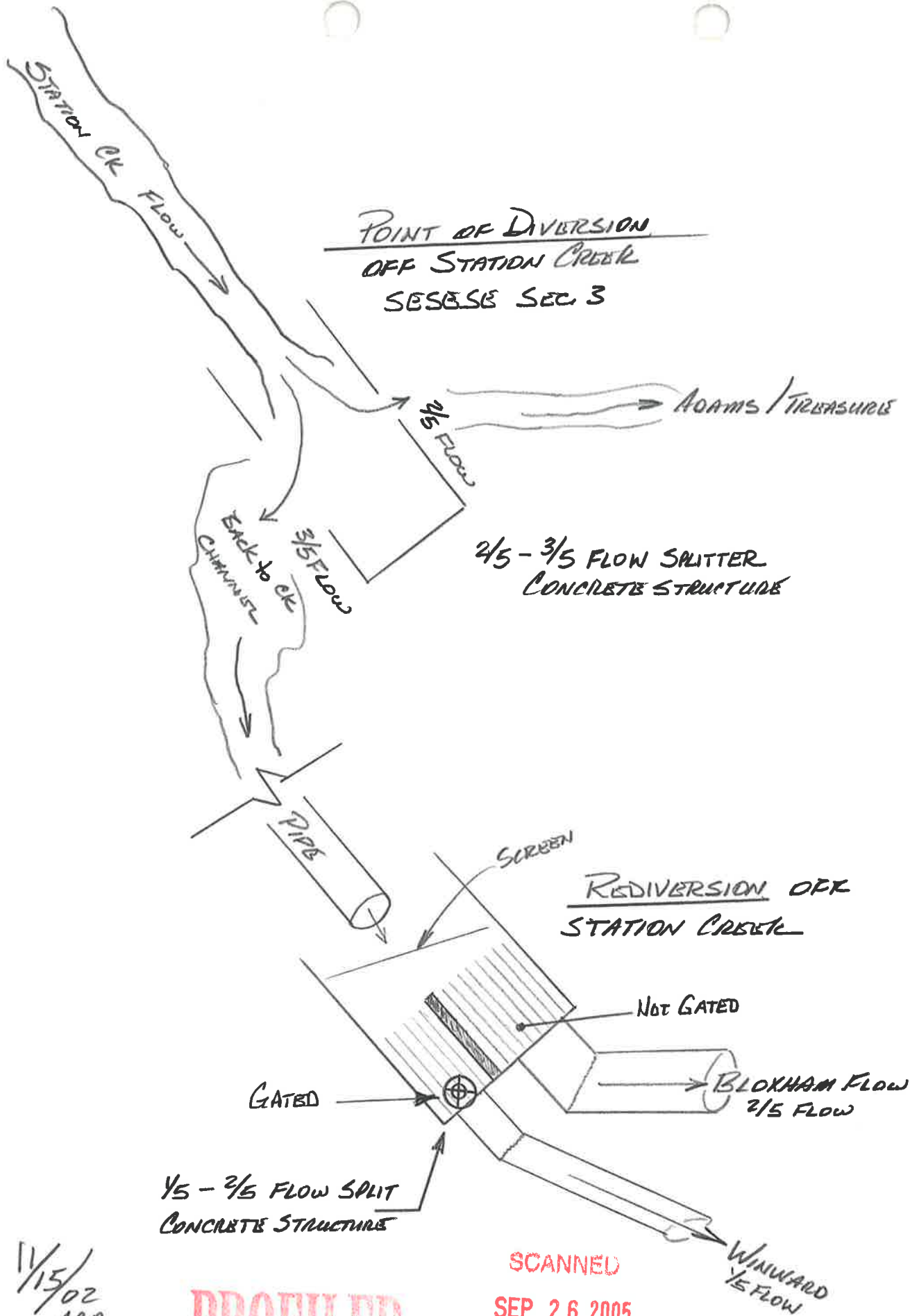


PROPERTY

SCANNED

SEP 26 2005





11/15/02
ABR

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SEP 26 2005

cover all lands now owned by said estate as irrigated from said streams.

That defendant George Wakley be adjudged and decreed to have the use and benefit

0326 the continuous and uninterrupted flow of one-fifth of all the waters of Station Creek,
0327 and the use and benefit of the continuous and uninterrupted flow of one-sixth of all the
waters of Birch Creek flowing towards March Valley. That said waters be used upon and ap-
purtenant to N.W.1/4 of S.W.1/4, and E.1/2 of S.W.1/4; S.1/2 of N.W.1/4; S.W.1/4 of N.E.1/4;
W.1/2 of S.E.1/4 and Lot 3 of Section One, Township 12 S., Range 36 E. Boise Meridian,
Bannock County, containing 360 acres. It being intended hereby to cover all lands of said
defendant now owned as irrigated from said streams.

0328 That defendant John Ware be adjudged and decreed to have the use and benefit of
the continuous and uninterrupted flow of one-sixth of all the waters of Birch Creek flowing
towards March Valley.

That said waters be used upon and appurtenant to N.E.1/4 Section 18, Township 11
South, Range 36 E. Boise Meridian, said Bannock County, Idaho. It being intended hereby to
cover lands now owned by said defendant as irrigated from said stream.

0329 That defendant J. J. Wakley be adjudged and decreed to have the use and benefit of
the continuous and uninterrupted flow of one-twelfth of the waters of Birch Creek flowing
towards March Valley. That said waters are used upon and appurtenant to N.E.1/4 Section 13,
Township 12 South, Range 36 E. Boise Meridian, except 30 acres thereof heretofore conveyed
by deed by said defendant to J. H. Wakley. It being intended hereby to cover all lands of
defendant as irrigated from said stream.

0330 That defendant J. H. Wakley be adjudged and decreed to have the use and benefit of
one-fourth of all the waters of Dry Hollow and Maple Creeks, the use and benefit of the con-

0331 T. 45, 163, 1717
tinuous and uninterrupted flow of one-fifth of all the waters of Station Creek, and one-

0332 T. 45, 163, 171, 188
twelfth of the continuous and uninterrupted flow of all the waters of Birch Creek flowing
towards March Valley. That said waters are used upon and appurtenant to S.W.1/4 of N.E.1/4,
N.1/2 of N.E.1/4, N.W.1/4 of N.W.1/4 Section 36, Township 11 S. Range 36 E. Boise Meridian,
containing 160 acres, also 30 acres off the East side of N.W.4 Sec.13 Tp.12 S.R.36 E.B.M. in
said Bannock County. It being intended hereby to cover all lands now owned by said defendant
as irrigated from said streams.

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SEP 26 2005

FILED

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Wm Evans	Frank Winward				
Name connector: and						
Current Owner						
Current Owner						
Representing Attorney:						Phone Number:
Accompanied By:						Phone Number:
Relationship to Claimant:						
Date of Field Exam:						Time:
Directions to Property (if different from above) and/or update owner information:						
c/o FROM Wm EVANS TO F. Winward, Oct. 2000.						
WAKLUP VS WAKLUP, 1904 EXCEPT ATTACHMENT.						
FRANK WINWARD						
PO Box 7						
Downey ID 83234						
11/14/02 FB w/ Mr. Winward. Visited Pool's and Pool's DISCUSSED @						
OF Flow Distribution						
FB INDICATED: PM, POOL, Q.						
Reviewer:						Date:

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SEP 26 2005

Priority Date Data Entry Form

Claim Number: 29-326

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 9 June 1904 Claimed Basis: DECREESRecommended 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:

PRIORITY DATE NOT ADDRESSED BY DECREES OR DEED.USED DECREES (SIGNED) DATE

Reviewer: _____

Date: _____

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SEP 26 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

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

Source: _____ Tributary: _____

Claimed Point of Diversion: T 125, R 36E, Sec. 1,____,____,____. County: BANNOCK

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
		<u>3</u>		<u>SBSBSB</u>		<u>STATION CK</u>
GPS Coordinates: _____						
		<u>2</u>		<u>SENE SW</u>		<u>STATION CK</u>
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

2001V.

Other rights from this POD? _____

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

POD NOT ADDRESSED BY DEZROB.FE INDICATED.

SCANNED

SEP 26 2005

Transfers Changing POD _____

Reviewer: _____

BLOCHMAN

WINWARD

POD
Upper
SPURTER

Date: _____

ARM'S/TREASURES

CK

WINWARD
BLOCHMAN

PROFILED

LOWER
SPLITTER

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
12S	36E	1	SWSW		Barn		30	Frriq.
		2	SWSW		"		8	"
			NESB		"		40	"
			SBSB		"		40	"

Total Acres 118⁰

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
		1	SWSW		Barn		21	
		2	NESB				35	
		2	SBSB				40	

Total Acres 96

Document how the POU was verified:

PPU w/ 32BC Q BASED ON 0.02/acFE INDICATED

Transfers Changing POU _____

Reviewer: _____

Date: _____

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SEP 26 2005

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ 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
<i>Tring</i>	<i>4/1</i>	<i>11/01</i>	<i>2.5</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Tring</i>	<i>4/1</i>	<i>10/31</i>	<i>1.92</i>	_____
_____	<i>DAPT STD</i>	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

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

SOU NOT ADDRESSSED BY DISCRETS - 1/50 DAPT STD.

Reviewer: _____

Date: _____

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SCANNED

SEP 26 2005

Log for claim A29-00326

Spatial Dynamics TWB

5/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s36e	1	SWSW	40	40.3	
12s36e	2	SENE	8	7.3	
12s36e	2	NESE	40	40.4	
12s36e	2	SESE	40	40.4	
Totals:			128	128.4	



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 1, 2000

FRANK D WINWARD
PO BOX 7
DOWNEY ID 83234

RE: CHANGE IN OWNERSHIP FOR A29-00326, A2900328C

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

OK JC

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

RECEIVED**OCT 30 2000**

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

Department of Water Resources
 Eastern Region

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>A29-00326</u>	_____	_____	_____	_____	_____
<u>A29-00328C</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. na
- 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)

William T. Evans
25976 S. Highway 91
Downey Idaho 83234

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

4. **New Owner/Claimant(s)**

X **New Mailing Address**

X **City, State and ZIP Code**

X **New Telephone Number**

5. X **Date you acquired the property**

P.O. BOX 7
Downey IDAHO 83234
(208) 897-5986
10-4-2000

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 _____

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)

Frank D. Winward

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 _____

20015972

Stg-20/15

20015972

After Recording Return To:

NO. _____
 RECORDED AT REQUEST OF
 STEWART TITLE OF POCA TELLO
 2000 OCT 4 PM 1 58

Frank D. Winward
 3962 South 2275 West
 Roy, Utah 84067

OFFICIAL TITLED BOOK NO 767
 BANNOCK COUNTY IDAHO
 LARRY W CHAN RECORDER
 FILE 9-11-00

3-1

WARRANTY DEED

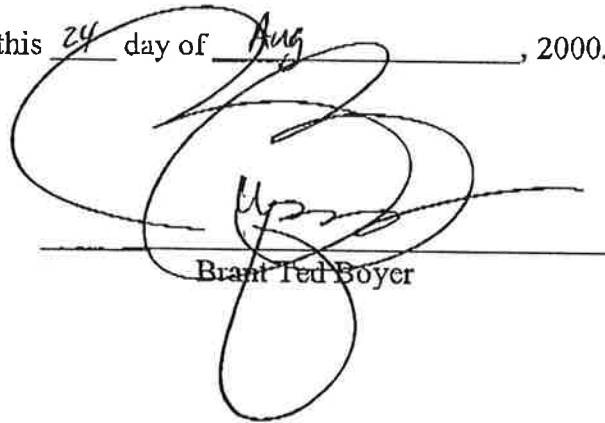
For the consideration of Ten Dollars, and other valuable considerations, BRANT TED BOYER, an unmarried man, of 5375 West 4680 East, Hooper, Utah 84315, Grantor, hereby grants, bargains, sells and conveys to Frank D. Winward, whose address is 3962 South 2275 West, Roy, Utah 84067, Grantee, the following real property situated in Bannock County, Idaho, together with all rights and privileges appurtenant thereto, to wit:

A parcel of land in Bannock County, State of Idaho, described as shown on the annexed Exhibit "A".

SUBJECT to an Oil and Gas Lease recorded May 2, 1979 and all easements, rights-of-ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by the parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto 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 except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever, except those arising from the acts of Grantee and those claiming by, through, or under Grantee.

WITNESS the hands of the Grantor, this 24 day of Aug, 2000.


 Brant Ted Boyer

STATE OF FLORIDA)
)
) :ss
COUNTY OF DUVAL)

3-8

On this 24th day of August, 2000, before me
Sandra G. Dodd personally appeared Brant Ted Boyer known or
identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same

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

Sandra G. Dodd
Notary Public for Florida

Commission expires: 10/19/02

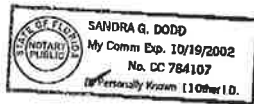


Exhibit "A"**(Legal Description)**

Township 12 South, Range 36 E.B.M., Bannock County, Idaho;

Section 1: SW1/4 SW1/4, That portion of Lot 4 lying west of the Marsh Valley Road.

Section 2: Lot 1, SE1/4 NE 1/4, E1/2 SE1/4

Excepting therefrom:

That part of the SW1/4SW1/4 of Section 1, T 12 S, R 36 E, Bannock County, Idaho, described as follows:

Beginning at the northeast corner of said SW1/4SW1/4; thence S. 00°21'42" W, 1303.40 feet, along the East line of said SW1/4SW1/4 to a point under the north right of way fence Stumpo Road, N 00°21'42" E, 22.64 feet, of the Southeast corner of said SW1/4SW1/4; thence N. 89°07'18" W, 634.28 feet, along said North right of way fence to a point at the intersection of said fence with the easterly right of way fence of Marsh Valley Road; thence N. 05°14'24" E. 1304.56 feet, along said easterly right of way fence to a point on the north line of said SW1/4SW1/4; thence S. 89°24'07" E. 523.32 feet, along said north line to the corner of beginning.

1422

WARRANTY DEED

769832

For Value Received

Melvin Wakley and Nellie Wakley, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

Kenneth F. Peterson and Beverly M. Peterson, husband and wife

the grantees, the following described premises, in Pocatello County Idaho, to wit:

Township 12 South, Range 36 East of the Boise Meridian

Section 1: Lot 2, Lot 4, SE 1/4

Section 2: Lot 1, SE 1/4, T4S1E

Together with the following water rights:
1/5 of Station Creek
1/12 of Birch Creek

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 the said owner of the fee simple of said premises, that they are free from all incumbrances

and that they will warrant and defend the same to all lawfully claiming the same

Dated: October 12, 1973

Melvin Wakley
Nellie Wakley

STATE OF IDAHO, COUNTY OF TETTER
On this 12th day of October, 1973
before me, a notary public in and for said state, personally
appeared Melvin Wakley and wife
Nellie Wakley

NOTARY SEAL

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same

Reading at Preston, Idaho
Comm. Expires 4-15-1979

NO. 769832

ALACRIM FARM LITE

NO. 17 PA 24

1973
OCT 17 4 41
NOTARY PUBLIC
IDAHO

INSTRUMENT NO.

COPY

P28176

WARRANTY DEED

For Value Received WILLIAM T. EVANS, a married man as his sole and separate property

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

BRANT TED BOYER, AN UNMARRIED MAN

99018922

whose address is: 5375 W. 4680 S. HOOPER UT, 84315

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

TOWNSHIP 12 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO;

SECTION 1: SW $\frac{1}{4}$ /SW $\frac{1}{4}$, THAT PORTION OF LOT 4 LYING WEST OF THE MARSH VALLEY ROAD,

SECTION 2: LOT 1, SE $\frac{1}{4}$ /NE $\frac{1}{4}$, E $\frac{1}{2}$ /SE $\frac{1}{4}$

EXCEPTING THEREFROM:

THAT PART OF THE SW $\frac{1}{4}$ /SW $\frac{1}{4}$ OF SECTION 1, T 12 S, R 36 E, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SW $\frac{1}{4}$ /SW $\frac{1}{4}$; THENCE S 00°21'42" W, 1303.40 FEET, ALONG THE EAST LINE OF SAID SW $\frac{1}{4}$ /SW $\frac{1}{4}$ TO A POINT UNDER THE NORTH RIGHT OF WAY FENCE STUMPO ROAD, N 00°21'42" E, 22.64 FEET, OF THE SOUTHEAST CORNER OF SAID SW $\frac{1}{4}$ /SW $\frac{1}{4}$; THENCE N 89°07'18" W, 634.28 FEET, ALONG SAID NORTH RIGHT OF WAY FENCE TO A POINT AT THE INTERSECTION OF SAID FENCE WITH THE EASTERLY RIGHT OF WAY FENCE OF MARSH VALLEY ROAD; THENCE N 05°14'24" E, 1304.56 FEET, ALONG SAID EASTERLY RIGHT OF WAY FENCE TO A POINT ON THE NORTH LINE OF SAID SW $\frac{1}{4}$ /SW $\frac{1}{4}$; THENCE S 89°24'07" E, 523.32 FEET, ALONG SAID NORTH LINE TO THE CORNER OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the 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 except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

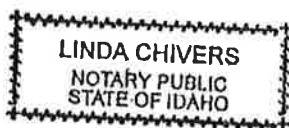
Dated: September 8, 1999

William T. Evans
WILLIAM T. EVANS

STATE OF IDAHO)
: ss
COUNTY OF BANNOCK)

On This 9th day of SEPTEMBER, 1999, before me, a Notary Public in and for said State, personally appeared WILLIAM T. EVANS, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

Linda Chivers
Notary Public of Idaho
Residing at POCATELLO,
Commission Expires: 02-18-2005



99018922

NO
RECORDED AT REQUEST
FIRST AMERICAN TITLE
'99 SEP 24 AM 11:
OFFICIAL RECORD BOOK
BANNOCK COUNTY IDA
LARRY W. HAN RECOR
FEE 746 DEPUTY

Form RD 440-34
(Rev. 6-97)

Inwest

Position 5
UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT
FARM SERVICE AGENCY

FORM APPROVED
OMB NO. 0575-0172

OPTION TO PURCHASE REAL PROPERTY

1. In consideration of the sum of \$ Ten Million in hand paid and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned (hereinafter called the "Seller"), who covenants to be the owner thereof, hereby, for the Seller and the Seller's heirs, executors, administrators, successors and assigns, offers and agrees to sell and convey to

FRANK D. Williams

(Name and Address)

(hereinafter called the "Buyer"), and hereby grants to the said Buyer the exclusive and irrevocable option and right to purchase, under the conditions hereinafter provided, the following-described property, located in BANNOCK

County, State of IDAHO

(Insert here full and complete legal description, including volume and page where recorded, of the property including any water rights and water stock being purchased.)

Township 12 South, Range 36 East of the Boise Meridian, Bannock County, Idaho
Section 1: SW1/4SW1/4, that portion lying west of the Marsh Valley Road,
that portion of lot 4 lying West of the Marsh Valley Road;
Section 2: Lot 1, SE1/4NE1/4, E1/2SE1/4. CONTAINING APPROXIMATELY 200
39 head Forest Range Permit on Elkhorn Range.

THE PROPERTY SHALL INCLUDE ALL WATER RIGHTS
1/5 OF STATION CREEK
1/2 OF BIRCH CREEK
AND ALL WATER ORIGINATING ON SAID PROPERTY

Post-It® Fax Note	7871	Date	8/4/00	# of pages	1
To	Candy Lund	From	Sandi C.		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0172. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Dept. of Water Resources
RD 440-34 (Rev. 6-97)

9/22/00
Spoke to Eamie Carlsen
he confirmed that
1/5 of Station Creek is A29-00324
1/2 of Birch Creek is A29-00328C

The title to said property is to be conveyed free and clear of all encumbrances except for the following reservations, exceptions and leases, and no others:
(Insert here a full statement of all reservations, exceptions and leases, including in the case of leases, the date of the termination of the lease, the correct name(s) and address(es) of the leasee(s) and, if recorded, the place of recordation)

exceptions NONE -
Offer made to participate in with seller cooperation:
in 1031 Tax Deferral exchange with property to be identified
at time of closing

~~xxx The undersigned hereby certifies that the Buyer has obtained clearance from the United States Department of Agriculture, through the Farm Service Agency, for the purchase of said property, and that the Buyer's offer to purchase is subject to the approval of the Government. The Government does not guarantee the purchase of said property, nor is it agreed that the Buyer's offer to purchase is a part of the consideration for this option and any other agreement. It is understood that the transaction is subject to the approval of the Government.~~

3. The total purchase price for said property is \$ \$ 190,417.50 ; said amount

☒ includes ☐ excludes the \$ 10.00 mentioned in paragraph 1.

4. The Seller agrees to pay the expenses of title clearance including, if required, abstract or certificate of title or policy of title insurance, continued down to the date of acceptance of this option and thereafter continued down to and including date of recordation of the deed from the Seller to the Buyer, costs of survey, if required, and attorney's fees; and the Seller agrees that, except as herein provided, all taxes, liens, encumbrances or other interests in third persons will be satisfied, discharged, or paid by the Seller including stamp taxes and other expenses incident to the preparation and execution of the deed and other evidences of title. Title evidences will be obtained from persons and be in such form as the Government shall approve.

(Strike inapplicable language above or insert herein any different agreement regarding the paying of title clearance charges)

Title policy in name of Buyer shall be at sole cost of Buyer.
all closing costs shall be cost of Buyer. All proceeds are to be cost of Buyer. Unimproved Rights conveyed are those that were conveyed to seller and are only the ones transferred to Buyer.

5. The Seller also agrees to secure for the Buyer, from the records of the Farm Service Agency, aerial surveys of the property when available, all obtainable information relating to allotments and production history and any other information needed in connection with the consideration of the proposed purchase of the property.

6. The Seller further agrees to convey said property to the Buyer by general warranty deed (except where the law provides otherwise for conveyances by trustees, officers of courts, etc.) in the form, manner and at the time required by the Government, conveying to the Buyer a valid, unencumbered, indefeasible fee-simple title to said property meeting all requirements of the Government; that the purchase price shall be paid at the time of recording such deed; and that said lands, including improvements, shall be delivered in the same condition as they now are, customary use and wear excepted.

7. Taxes, water assessments and other general and special assessments of whatsoever nature for the year in which the closing of the transaction takes place shall be prorated as of the date of the closing of the transaction, it being expressly agreed that for the purpose of such proration the tax year shall be deemed to be the calendar year. If the closing of the transaction shall occur before the tax rate is fixed, the apportionment of taxes shall be on the basis of the tax rate for the next preceding year applied to the latest assessed valuation.

(Insert here any different tax agreement)

all costs of assessments, taxes, and other general + special assessments and solely cost of Buyer

8. This option may be exercised by the Buyer, at any time while the offer herein shall remain in force, by mailing, telegraphing or delivering in person a written notice of acceptance of the offer herein to Craig Boyce at 5605 S 3600 W, in the city of Ray County of Webster, State of Utah.

The offer herein shall remain irrevocable for a period of 3 months from the date hereof and shall remain in force thereafter until one (1) year from the date hereof unless earlier terminated by the Seller. The Seller may terminate this offer at any time after the 3 months irrevocable period provided herein by giving to the Buyer ten (10) days written notice of intention to terminate at the address of the Buyer. Acceptance of this option by the Buyer within ten (10) days after such notice is received by the Buyer shall constitute a valid acceptance of the option.

9. Loss or damage to the property by fire or from an act of God shall be at the risk of the Seller until the deed to the Buyer has been recorded, and in the event that such loss or damage occurs, the Buyer may, without liability, refuse to accept conveyance of title, or may elect to accept conveyance of title, in which case there shall be an equitable adjustment of the purchase price.

10. The Seller agrees that, irrespective of any other provision in this option, the Buyer, or the Buyer's assignees, may, if the option is accepted, without any liability therefore refuse to accept conveyance of the property described herein if the foresaid loan cannot be made or insured because of defects in the title to other land now owned by, or being purchased by, the buyer.

11. The Seller agrees to furnish, at Seller's expense, to the Buyer a certificate from a reliable firm certifying that the following described building(s) covered by this option (a) is now free of termite infestation and (b) either is now free of unrepaid termite damage or has suffered unrepaid termite damage which is specifically described in the certificate.

12. The Seller agrees to furnish, at the Seller's expense, to the Buyer evidence from the Health Department or a reliable and competent source that the waste disposal system for the dwelling is functioning properly, and the water supply for domestic use meets State Health Department requirements. This evidence must be in the Agency Office before a loan will be approved.

13. The Seller hereby gives the Government or its agents consent to enter on said property at reasonable times for the purpose of inspecting or appraising it, in connection with the making of a loan to purchase the property.

14. Insert here conditions peculiar to this particular transaction.

(Sellers Telephone Number)

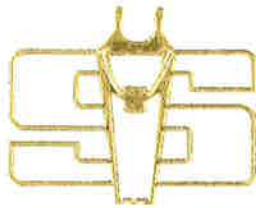
801-698-3333

IN WITNESS WHEREOF, the Seller and the Buyer have set their hands and seals this 7 day of August, 1920 (2020)

WITNESSES:

Craig Boyce (Seller)
Craig Boyce (Seller)
Frank D. Wimmer (Buyer)
P.O. BOX 7 DOWNEY (Buyer)
I.D. 83234

(Indicate marital status of Seller as "married", "legally separated", "unmarried", after signature)
 (over)



Sanctity of Contract®

STEWART TITLE

GUARANTY COMPANY

October 27, 2000

RECEIVED

OCT 30 2000

**Department of Water Resources
Eastern Region**

**JENNIFER D. BERRIOCHOA
National Closing Specialist
National Title Services**

VIA FEDERAL EXPRESS

Jennifer Crabtree
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
900 North Skyline Drive
Idaho Falls, ID 83402

RE: Water Right No's: A29-00326 (1/5 Station Creek)
and A29-00328C (1/12 Birch Creek)
Brant Ted Boyer & Frank Winward
Property: A portion of Lot 4 lying West of Marsh Valley Road
Pocatello, Bannock County, State of Idaho
Our Escrow No.: 00050172

Dear Jennifer:

Pursuant to your letter dated October 20, 2000, please find enclosed herewith my original package and original cover letter sent to you on October 10, 2000 now completed with the original signature of Frank D. Winward (the new owner/claimant) and his mailing address of the Idaho property.

Your file should now be complete for processing. Again, please send any new certificate and/or other such confirmation from your office (if any) directly to Frank D. Winward at 3962 South 2275 West, Roy, UT 84067.

Thank you for your prompt attention to this matter. If you find that you do need anything further from me, please contact me at 800-834-6617 or 801-595-5775.

Sincerely,



Jennifer Berriochoa

JDB/ms
Enclos.

cc: Frank D. Winward **"Enhancing the Real Estate Closing Process"™**

455 East 500 South, Suite 200 • Salt Lake City, Utah 84111
Direct: (801) 595-5775 • (801) 355-9696 • (800) 834-6617 • FAX: (801) 355-9641
a Stewart Information Services company (NYSE: STC) • www.stewart.com



Sanctity of Contract®

STEWART TITLE

GUARANTY COMPANY

October 10, 2000

RECEIVED

OCT 11 2000

Department of Water Resources
Eastern Region

JENNIFER D. BERRIOCHOA
National Closing Specialist
National Title Services

VIA FEDERAL EXPRESS

Jennifer Crabtree
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
900 North Skyline Drive
Idaho Falls, ID 83402

RE: Water Right No's: A29-00326 (1/5 Station Creek)
and A29-00328C (1/12 Birch Creek)
Brant Ted Boyer & Frank Winward
Property: A portion of Lot 4 lying West of Marsh Valley Road
Pocatello, Bannock County, State of Idaho
Our Escrow No.: 00050172

Dear Jennifer:

In speaking with Earnie Carlsen of your office he mentioned that it would be helpful in the processing of the change in ownership of water rights to include as much information as possible. Therefore, please find enclosed herewith the following items:

1. One original Notice of Change in Water Right Ownership Form regarding the above referenced water right numbers executed by William T. Evans;
2. One copy of the recorded Warranty Deed from William T. Evans to Brant Ted Boyer;
3. One copy of the First American Insurance Policy insuring Brant Ted Boyer;
4. One copy of the Option to Purchase Real Property between Frank Winward as Buyer and Brant Ted Boyer as Seller;
5. One copy of the Stewart Title Commitment; and
6. One copy of the recorded Warranty Deed from Brant Ted Boyer to Frank Winward.

Please note the original notice of change form from William T. Evans to Brant Ted Boyer was never received by your office and was sent directly to us. Please adjust your records accordingly to reflect water right numbers A29-00326 (1/5 of Station Creek) and A29-00328C (1/12 of Birch Creek) in the name of Frank D. Winward as owner.

Also, please provide any such confirmation of change of ownership to the undersigned and Frank D. Winward at 3962 South 2275 West, Roy, UT 84067.

"Enhancing the Real Estate Closing Process"™

455 East 500 South, Suite 200 • Salt Lake City, Utah 84111
Direct: (801) 595-5775 • (801) 355-9696 • (800) 834-6617 • FAX: (801) 355-9641
a Stewart Information Services company (NYSE: STC) • www.stewart.com



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

October 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JENNIFER BERRIOCHOA
STEWART TITLE
455 E 500 SOUTH STE 200
SALT LAKE CITY UT 84111

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP FOR A29-00326,
A29-00328C (EVANS - WINWARD)

Dear Ms. Berriochoa:

I am returning the above referenced document for more information. Please have Mr. Winward or his attorney fill in item 4 and sign item 7. Return the entire packet and we will process as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Frank D. Winward

AJ5809NP
No. A29-00326

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM T EVANS 25976 S HWY 91 DOWNEY ID 83234 (208) 897-5734	06/09/1904	IRRIGATION	04-01 11-01	2.500 CFS	
TOTAL DIVERSION:					2.500 CFS	
CONSUMPTIVE USE:						312.00 AFA

Water Source: STATION CREEK

Tributary to: BIRCH CREEK

Stage: DECREED

Point(s) of Diversion: T12S R36E S02 NESW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
12S	36E	1	:					:					:					:					:	30.0	
12S	36E	2	:				08	:					:					:	40			40	:	88.0	
TOTAL ACRES																							118.0		

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-00328C

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00328C

Remarks: GEN AC. IRR. = 360.
DIVERSION RATE IS 1/5 THE FLOW OF STATION CREEK.
PRIORITY DATE BASED ON DATE OF DECREE.
MR EVAN'S DEEDS CALL FOR 1/5 OF THE WATER OF STATION CREEK. THE
FLOW RATE CLAIMED IS BASED ON 1 INCH PER ACRE.

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

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

Audit: 05/08/90 DUNN 04/29/94 COX 03/29/95 POST-STD 04/12/00 CVANDERM

Jennifer Crabtree
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
October 10, 2000
Page 2

Thank you for your help and cooperation, if you have any questions, concerns or comments, please contact the undersigned immediately at 800-834-6617 or 801-595-5775.

Sincerely,



Jennifer Berriochoa

JDB/ms

Enclos.

cc: Frank D. Winward

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: A29-00326

Date Received: 5/07/1990

Receipt No: EO 14219

Received By: BMD

2/5 Adams/Thompson

2/5 Bloxham

1/5 Wmmano

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM T. EVANS
Address: 25976 SOUTH HIGHWAY 91
DOWNEY, ID

208-897-5734

83234

2. Date of Priority: JUN 09, 1904

3. Source: STATION CREEK

Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	36E	2	NE	SW			BANNOCK

5. Description of diverting works:
HEADGATE AND CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.500		

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

A.F.A.

8. Total consumptive use is 312.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	36E	1	SW	SW		IRR	30.0

A29-00326

Page 1

Date: 05/07/90

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A2900326



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	30.0
		2	SE	NE	IRR	8.0
			NE	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	88.0
					Total Acres	118.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-00328C

14. Remarks:

AC. IRR. = 360.

DIVERSION RATE IS 1/5 THE FLOW OF STATION CREEK.

PRIORITY DATE BASED ON DATE OF DECREE.

MR EVAN'S DEEDS CALL FOR 1/5 OF THE WATER OF STATION CREEK. THE
FLOW RATE CLAIMED IS BASED ON 1 INCH PER ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

HENRY WAKLEY ET AL

Decree Plaintiff

vs

GEORGE WAKLEY.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

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SEP 26 2005

MICROFILMED
NOV 13 1992

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): William DeLeon Date: 5/7/90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of May 19 90

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

PROFILED

SCANNED
SEP 26 2005

MICROFILMED
NOV 13 1992

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 29-326
Date Received: 5/7/90
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRANK D WINWARD Phone: (208) 897-5986

PO BOX 7
DOWNEY ID USA 83234

2. Date of Priority: 06/09/1904

3. Source: STATION CREEK Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
12S	36E	2	NE SW	BANNOCK

5. Description of diverting works:

HEADGATE AND CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.5	

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

8. Total consumptive use:

9. Non-irrigation uses:

PROFILED

SCANNED

SEP 26 2005

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
12S	36E	1	SW	SW	IRRIGATION	21
					Section Acres	21
12S	36E	2	SE	NE	IRRIGATION	4.5
			NE	SE	IRRIGATION	38
			SE	SE	IRRIGATION	40
					Section Acres	82.5
					Total Acres	103.5

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = 360
 DIVERSION RATE IS 1/5 THE FLOW OF STATION CREEK
 PRIORITY DATE BASED ON DATE OF DECREE
 MR EVAN'S DEEDS CALL FOR 1/5 OF THE WATER OF STATION CREEK. THE FLOW RATE CLAIMED IS
 BASED ON 1 INCH PER ACRE

CHANGED OWNERSHIP PER REQUEST/CV/12/01/00

15. Basis of Claim: Decreed

PROFILED

SCANNED
 SEP 26 2005

SEP 28 2005

10/19/05

Imagined



345
521

MICROFILMED
NOV 13 1992

