

IDAHO DEPARTMENT OF WATER RESOURCES 01/11/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: JUDY WINTERS
9815 W POCATELLO CREEK RD
POCATELLO ID 83201

RONALD WINTERS
9815 W POCATELLO CREEK RD
POCATELLO ID 83201

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.13 CFS
9.4 AFY

PRIORITY DATE: 04/15/1958

POINT OF DIVERSION:

T06S R35E S18 NESWSW Lot 4 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.130 CFS 2.60 AFY
COMMERCIAL	01/01 12/31	0.060 CFS 0.40 AFY
IRRIGATION	04/01 10/31	0.040 CFS 6.40 AFY

PLACE OF USE: DOMESTIC Within BANNOCK County
T06S R35E S18 Lot 4 SWSW
COMMERCIAL Within BANNOCK County
T06S R35E S18 Lot 4 SWSW
IRRIGATION Within BANNOCK County
T06S R35E S18 Lot 4 SWSW 1.6

1.6 ACRES TOTAL

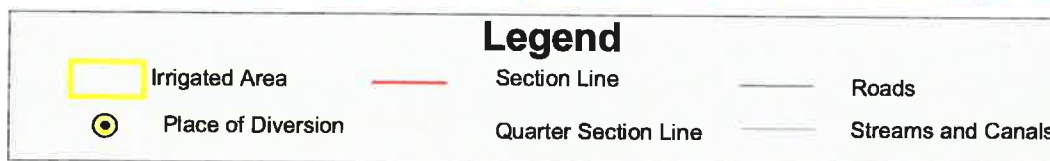
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

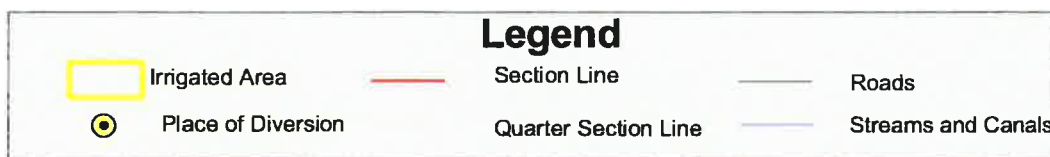
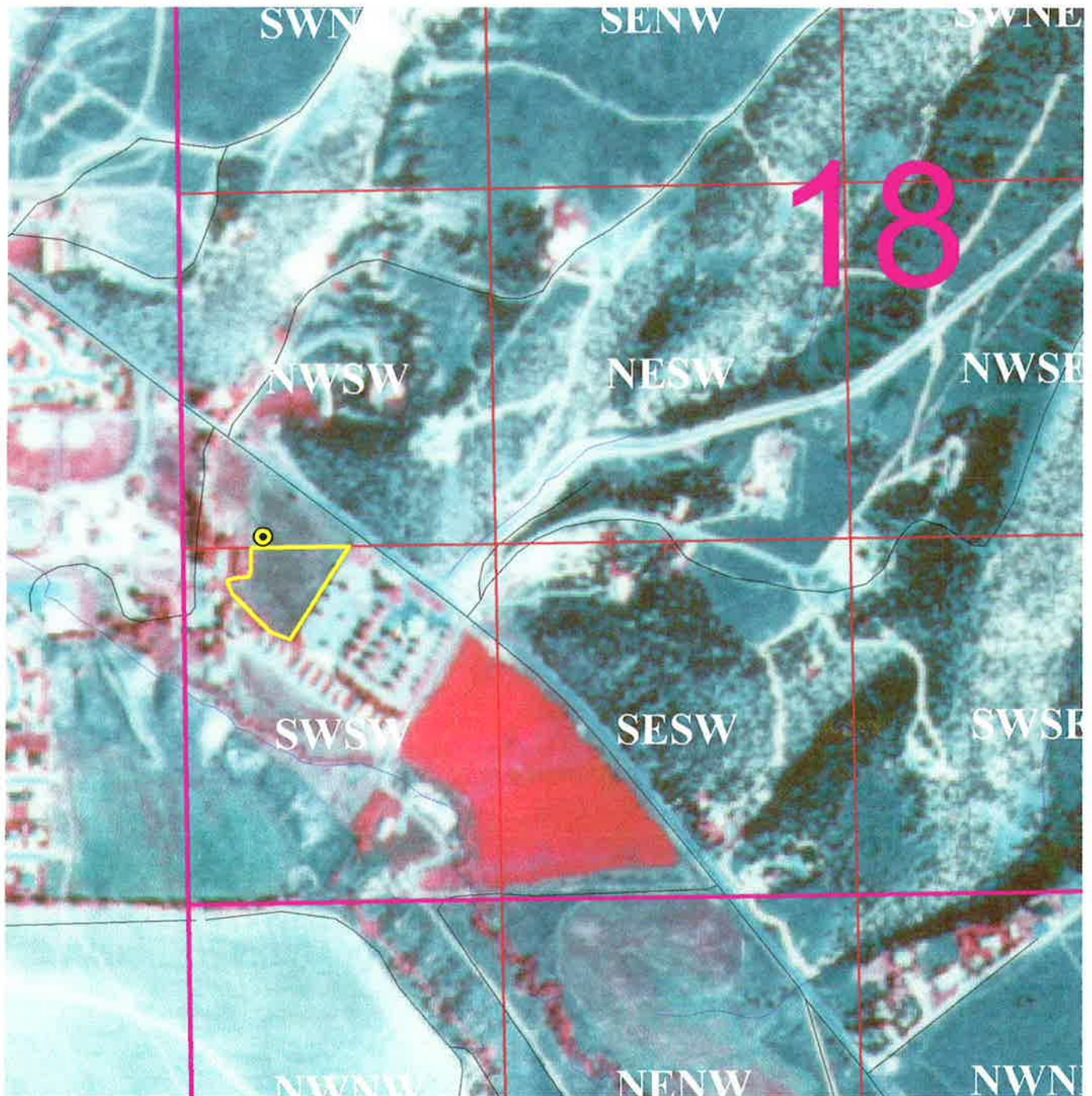
Water Right Claim Number A29-04304
Township , 6S35E

09/20/2000



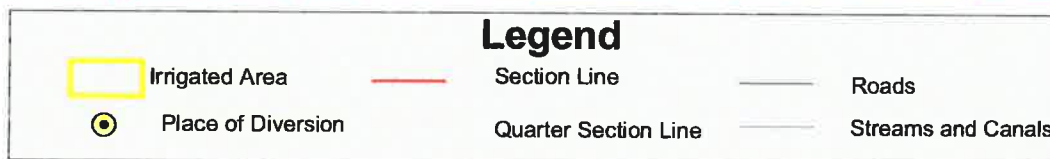
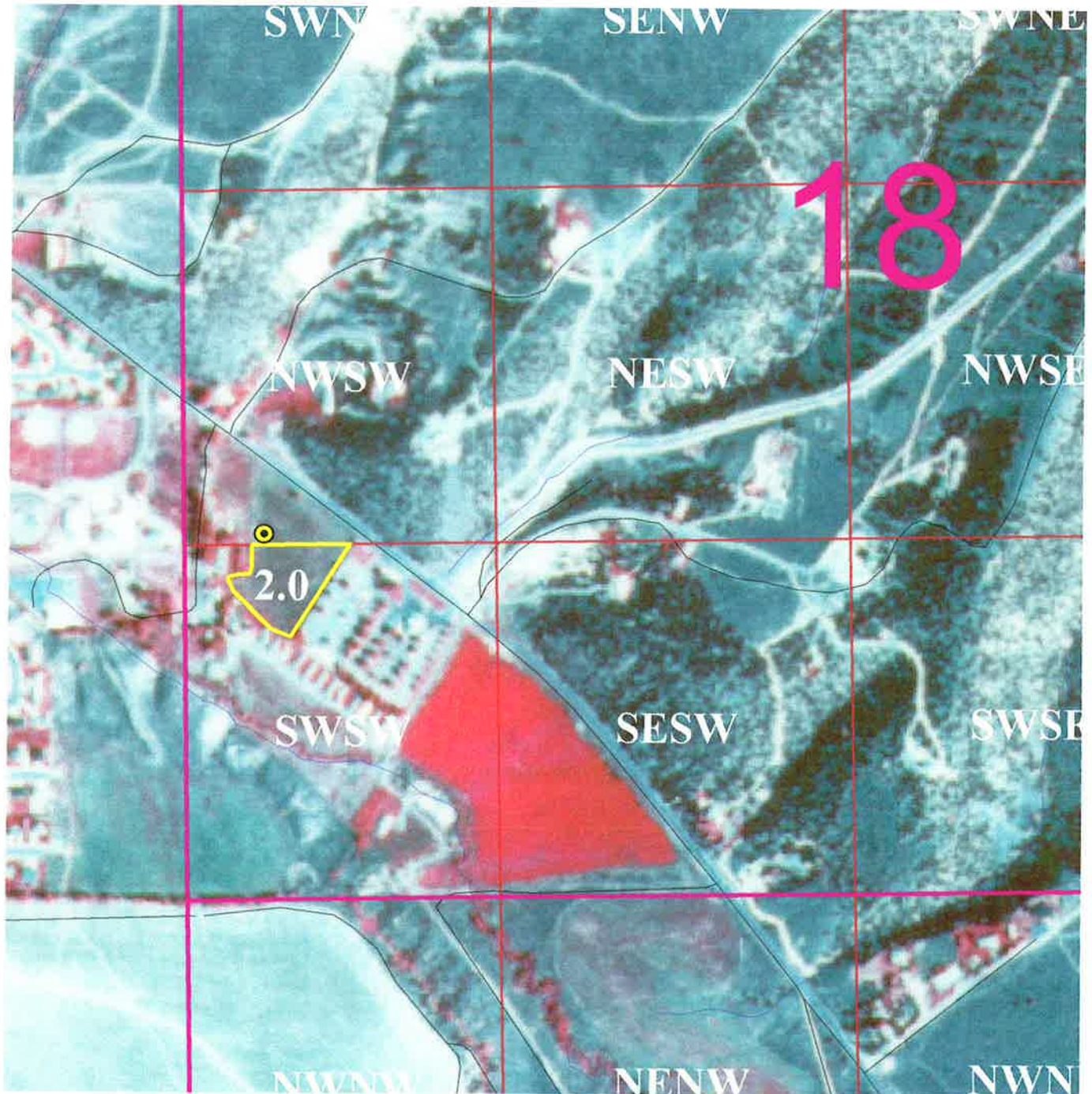
Water Right Claim Number A29-04304
Township , 6S35E

09/20/2000



Water Right Claim Number A29-04304
Township , 6S35E

09/20/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4304 V1

WATER RIGHT NUMBER: 29-4304 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	POCATELLO KOA C/O MAURICE DICAIRE 9815 W POCATELLO CREEK RD POCATELLO, ID 83201 (208)233-6851
Current Owner	JUDY WINTERS 9815 W POCATELLO CREEK RD POCATELLO, ID 83201 (208) 233-5272
Current Owner	RONALD WINTERS 9815 W POCATELLO CREEK RD POCATELLO, ID 83201 (208) 233-5372

Priority Date: 04/15/1958

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.130 CFS	2.60 AF
COMMERCIAL	01/01 to 12/31	0.060 CFS	0.40 AF
IRRIGATION	04/01 to 10/31	0.040 CFS	6.40 AF
<u>Total Diversion:</u>		0.130 CFS	9.40 AF

Location of Point(s) of Diversion

GROUND WATER	L4 NE1/4SW1/4SW1/4	Sec. 18, Twp 06S, Rge 35E, B.M.
BANNOCK County		

Place of UseDOMESTIC Within BANNOCK County

T06S R35E S18 Lot 4 SWSW

COMMERCIAL Within BANNOCK County

T06S R35E S18 Lot 4 SWSW

IRRIGATION Within BANNOCK County

T06S R35E S18 Lot 4 SWSW 1.6

Total Acres: 1.6

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4304 V1

1. C18 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.

Remarks:Comments:

1. csaxton 1/11/2002 POD

Comment: Amended claim not requested for QQ change for POD per Claims investigation manual, chapter 5, Section I.B. Paragraph 3.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	1/11/2002 9:04:56 AM	csaxton			Active
POD	1/11/2002 9:05:27 AM	csaxton			Active
Source	1/11/2002 9:09:00 AM	csaxton			Active
POU	1/11/2002 9:09:28 AM	csaxton			Active
Use	1/11/2002 10:52:29 AM	csaxton			Active
Season	1/11/2002 12:47:24 PM	csaxton			Active
Quantity	1/11/2002 1:07:45 PM	csaxton			Active
Summary	1/11/2002 1:11:07 PM	csaxton	1/11/2002 1:11:07 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4304 V1

Season	1/11/2002 12:47:25 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (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? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	1/11/2002 1:07:46 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Intrepid engineering data. Description for Question 10 - See notes in file
Summary	1/11/2002 1:11:08 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Use	1/11/2002 10:52:29 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	1/11/2002 9:09:47 AM	csaxton	Edited shape boundary
POU	1/11/2002 9:10:06 AM	csaxton	Edited PLS
Contacts	1/11/2002 8:57:09 AM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: Intrepid Field exam 10/2/01

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4304 V1

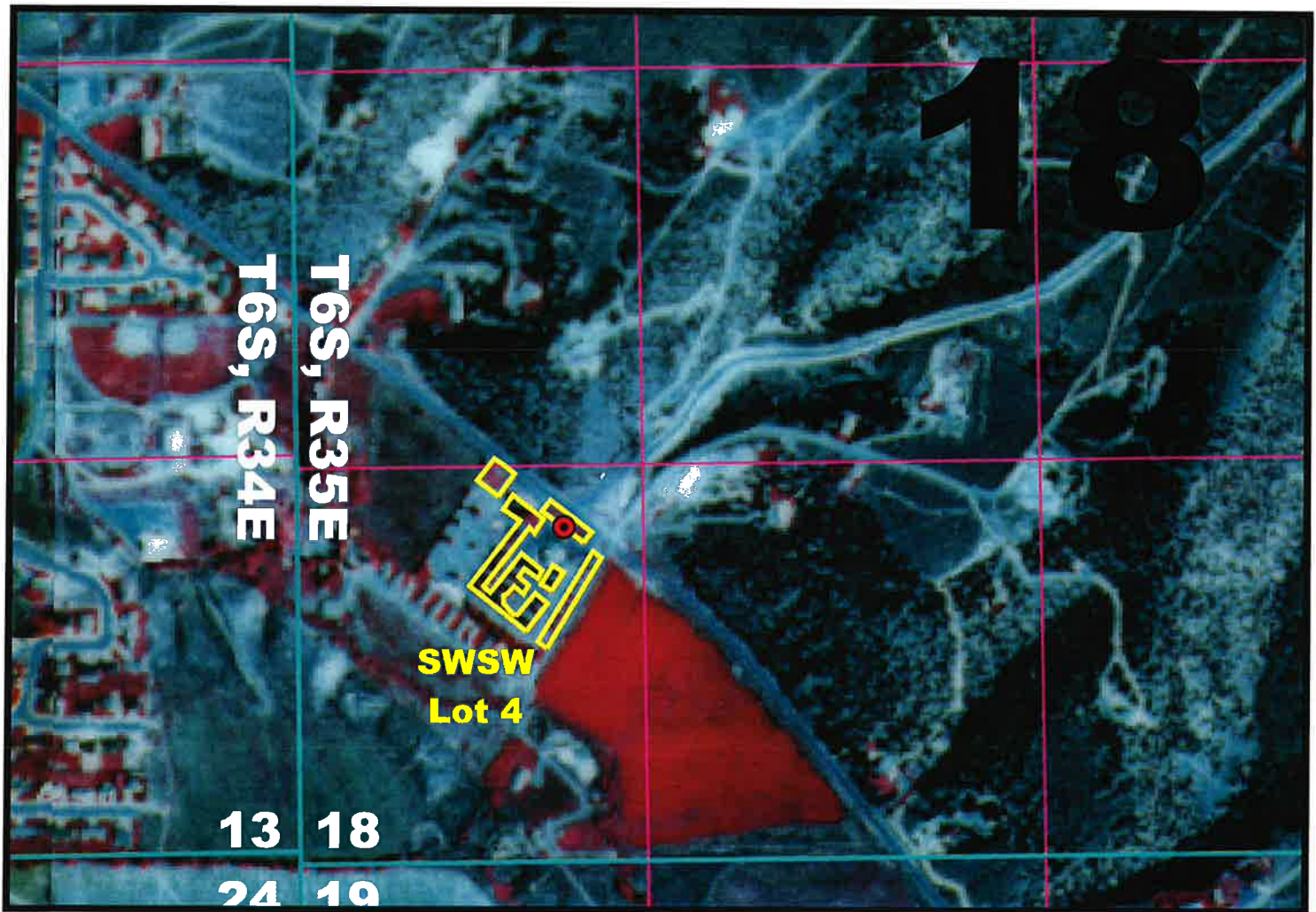
Priority Date	1/11/2002 9:04:56 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Statement from previous owner. Well log for KOA shows a replacement well drilled in 1983.
POD	1/11/2002 9:05:28 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	1/11/2002 9:06:10 AM	csaxton	Edited point location
POD	1/11/2002 9:08:14 AM	csaxton	Edited PLS
Source	1/11/2002 9:09:01 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam by Intrepid on 10/2/01
POU	1/11/2002 9:09:28 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - NAPP photography



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-04304



1320

0

1320 Feet

Total Irrigated Acres: 1.6



Point(s) of Diversion



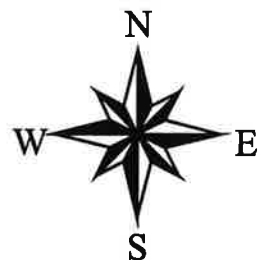
Place of Use



Quarter Quarter Lines



Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2002

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

RECEIVED
DEC 18 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
 Incomplete forms will be returned. 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, 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>29-4304</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) are 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) Pocatello KOA c/o Maurice Dicaire
9815 W. Pocatello Creek Rd., Pocatello, ID 83204
4. New Owner/Claimant(s) Ronald Winters and Judy Winters
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 9815 W. Pocatello Creek Rd.
- City, State and ZIP Code Pocatello, ID 83201
- New Telephone Number (208) 233-5272
5. Date you acquired the property 11/16/01

PROFILED

SCANNED
 MAR 24 2006

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	_____	_____
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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)

Ronald H. Hinton
July Hinton

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

MAR 24 2003

Diversion Volume Calculations

86 trailer hookups @ 15 gal/day = 1290 gal/day

$$\frac{(1290 \text{ gal/day})(356 \text{ day})}{(325982)} =$$

1.4 afa

Domestic

1 store @ 400 gal/day = 400 gal/day

$$\frac{(400 \text{ gal/day})(356 \text{ day})}{(325982)} =$$

0.4 afa

Commercial

Domestic Mobil home @ 0.6 afa per home =

1.2 afa

Domestic

Irrigation of 1.6 acres at 4af/acre =

6.4 afa

Irrigation

Total Recommended Volume =

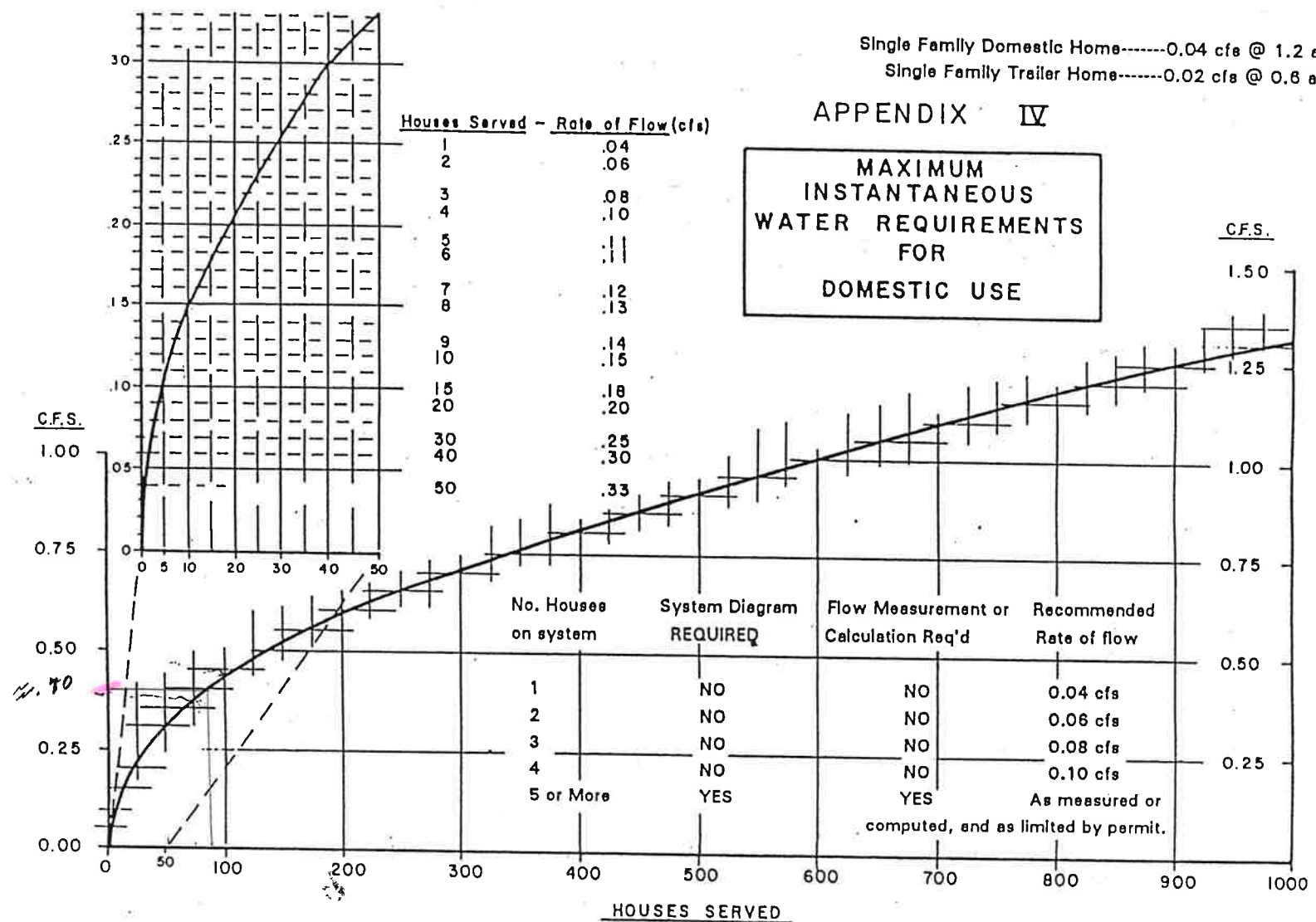
9.4 afa

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MAR 24 2006

NOTE: THESE CHART VALUES ARE USED FOR HOUSE USE ONLY. YOU MUST CALCULATE THE TOTAL ACRES (1/2 ACRE PER LOT), MULTIPLY BY 0.02 CFS/ACRE AND ADD THAT UNDER THE DOMESTIC VALUE. DO NO LIST IRRIGATION AS A SEPARATE ENTITY. (8 AUG 1996)

SCANNED
MAR 24 2006





Digital OrthoPhoto Quadrangle Image

The image you are viewing is 800 pixels wide by 600 pixels high. Each pixel represents 1 by 1 meters of earth.

The image was photographed on 07 Jun 1992 by the National Aerial Photography Program and digitized by the USGS DOQ Program on 14 Apr 1998.

The USGS DOQ below is projected in Universal Transverse Mercator (UTM) Zone 12 on the North American datum of 1983.

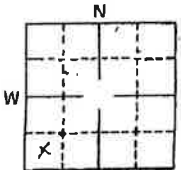


SCANNED

MAR 24 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTState law requires that this report be filed with the Director, Department of Water Resources
Within 30 days after the completion or abandonment of the well.

1983

1. WELL OWNER Name <u>POCATELLO, KOA</u> <u>STEVE KFFH</u> Address <u>POCATELLO CR. RD. POCATELLO ID 83404</u> Owner's Permit No. <u>29 4304</u>	7. WATER LEVEL Static water level <u>110</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____																																																										
2. NATURE OF WORK ☐ New well ☐ Deepened ☒ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>75</u></td><td></td><td><u>2</u></td></tr></tbody></table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>75</u>		<u>2</u>																																																				
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3. PROPOSED USE ☒ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other <u>KOA COURT.</u> (specify type)	9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td><u>10</u></td><td><u>0</u></td><td><u>30</u></td><td><u>BROWN CLAY</u></td><td></td><td><u>L</u></td></tr><tr><td><u>8</u></td><td><u>30</u></td><td><u>203</u></td><td><u>PINK DENVER</u></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td><u>QUARTZ BOLDERS</u></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td><u>EMBEDDED IN</u></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td><u>BROWN CLAY</u></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td><u>FIRST WATER ABOUT</u></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td><u>145' MOST COMES</u></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td><u>IN @ 180'</u></td><td></td><td></td></tr></tbody></table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	<u>10</u>	<u>0</u>	<u>30</u>	<u>BROWN CLAY</u>		<u>L</u>	<u>8</u>	<u>30</u>	<u>203</u>	<u>PINK DENVER</u>						<u>QUARTZ BOLDERS</u>						<u>EMBEDDED IN</u>						<u>BROWN CLAY</u>						<u>FIRST WATER ABOUT</u>						<u>145' MOST COMES</u>						<u>IN @ 180'</u>		
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____																																																											
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>250</u> inches</td><td><u>8</u> inches</td><td><u>20</u> feet</td><td><u>203</u> feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☒ Torch Size of perforation <u>1/8</u> inches by <u>3</u> inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>60</u> perforations</td><td><u>163</u> feet</td><td><u>203</u> feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>30</u> Material used in seal: ☒ Cement grout ☒ Puddling clay ☒ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	<u>250</u> inches	<u>8</u> inches	<u>20</u> feet	<u>203</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	<u>60</u> perforations	<u>163</u> feet	<u>203</u> feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet																											
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_____ perforations	_____ feet	_____ feet																																																									
_____ perforations	_____ feet	_____ feet																																																									
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>BANNOCK</u> T. <u>4 N</u> R. <u>35 E</u> S. <u>18</u> SW 1/4 SW 1/4 Sec. <u>18</u> , T. <u>4</u> , R. <u>35</u> (E.W.)	10. Work started <u>4/18/83</u> finished <u>4/24/83</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>DUBOE DRILLING</u> Firm No. <u>148</u> Address <u>P.O. Box 4465 POCATELLO</u> Date <u>4/28/83</u> Signed by (Firm Official) <u>W. H. Duboe</u> and (Operator) <u>W. H. Duboe</u>																																																										



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

EASTERN REGION

December 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RONALD WINTERS
9815 W POCATELLO CREEK RD
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP FOR A29-04304

Dear Mr. Winters:

It has come to our attention that you may have recently purchased a tract of land in Bannock County. The property to which I am referring was most recently owned by Pocatello KOA. The legal description is as follows:

T06S R35E S18 NW1/4 SW1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)

SCANNED

MAR 24 2006

3-1

201 2532

[Handwritten signature]

54920AKE-BKN

WARRANTY DEED

For Value Received,* Maurice Dicaire and Lorraine Dicaire, Grantors, do hereby grant, bargain, sell and convey unto Ronald K. Winters and Judy Winters, as Grantees, whose address is: *ALSO SHOWN OF RECORD AS MAURICE J. DICAIRE and LORRAINE C. DICAIRE, husband and wife

9815 West Pocatello Creek
Pocatello, Idaho 83201

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

See legal description attached as Exhibit A.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and their heirs and assigns forever. The Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises, that the premises are free from all encumbrances and that they will forever warrant the title to said premises. This conveyance, however, is subject to federal patents; building or use restrictions; building and zoning regulations and ordinances of any governmental unit; all rights of way, ditch rights, and easements claimed, established or of record; accruing taxes and assessments; encumbrances which are not shown by public records and which were created prior to Grantors' ownership of the property; discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records; unpatented mining claims and claims or title to water or water rights.

DATED this 15 day of November, 2001.

[Signature of Maurice Dicaire]
Maurice Dicaire

[Signature of Lorraine Dicaire]
Lorraine Dicaire

20122532

NO
RECORDED AT REQUEST OF
PIONEER TITLE
2001 NOV 16 PM 4 47

BOOK NO 299
BANNOCK COUNTY IDAHO
LEAH W. CHAN RECORDER

SCANNED
9- DEPUTY
Page 1

MAR 24 2006

3-2

20122532

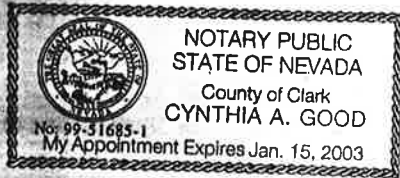
Nevada
STATE OF ~~IDAHO~~)
Clark : ss
County of ~~Bannock~~)

On this 15 day of November, 2001, before me, a Notary Public in and for said County and State, personally appeared **Maurice Dicaire and Lorraine Dicaire**, 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.

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

(SEAL)

Cynthia A. Good
NOTARY PUBLIC FOR ~~IDAHO~~ *Nevada*
Residing at: *AFCU Mesquite, NV*
Commission Expires: *1-15-03*



IMPORTANT NOTICE

LEGAL DESCRIPTION. The legal description for the Premises is A PARCEL OF LAND IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 35 E. B. M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE MONUMENT AT THE SOUTH 1/16 CORNER ON THE EAST LINE OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 35 E. B. M.; THENCE NORTH 87 degrees 06 min. EAST, 633.86 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE POCA TELLO CREEK ROAD, THE TRUE POINT OF BEGINNING; THENCE SOUTH 52 degrees 28 min. EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 495.62 FEET; THENCE SOUTH 29 degrees 30 min. WEST 450.00 FEET; THENCE NORTH 52 degrees 28 min. WEST, 495.62 FEET; THENCE NORTH 29 degrees 30 min. EAST, 450.00 FEET MORE OR LESS, TO THE TRUE POINT OF BEGINING...

NOTICE OF

OFFICIAL

IN ANY APPL.

WATER TRUST

year Idaho

Signature of

SCANNED

MAR 24 2006

EXHIBIT

Saxton, Craig

From: Bird, Cindy
Sent: Thursday, November 29, 2001 12:15 PM
To: Saxton, Craig
Subject: new owner in Poky

Hi Craig,
Are your days numbered? Are you counting down? How are things going?

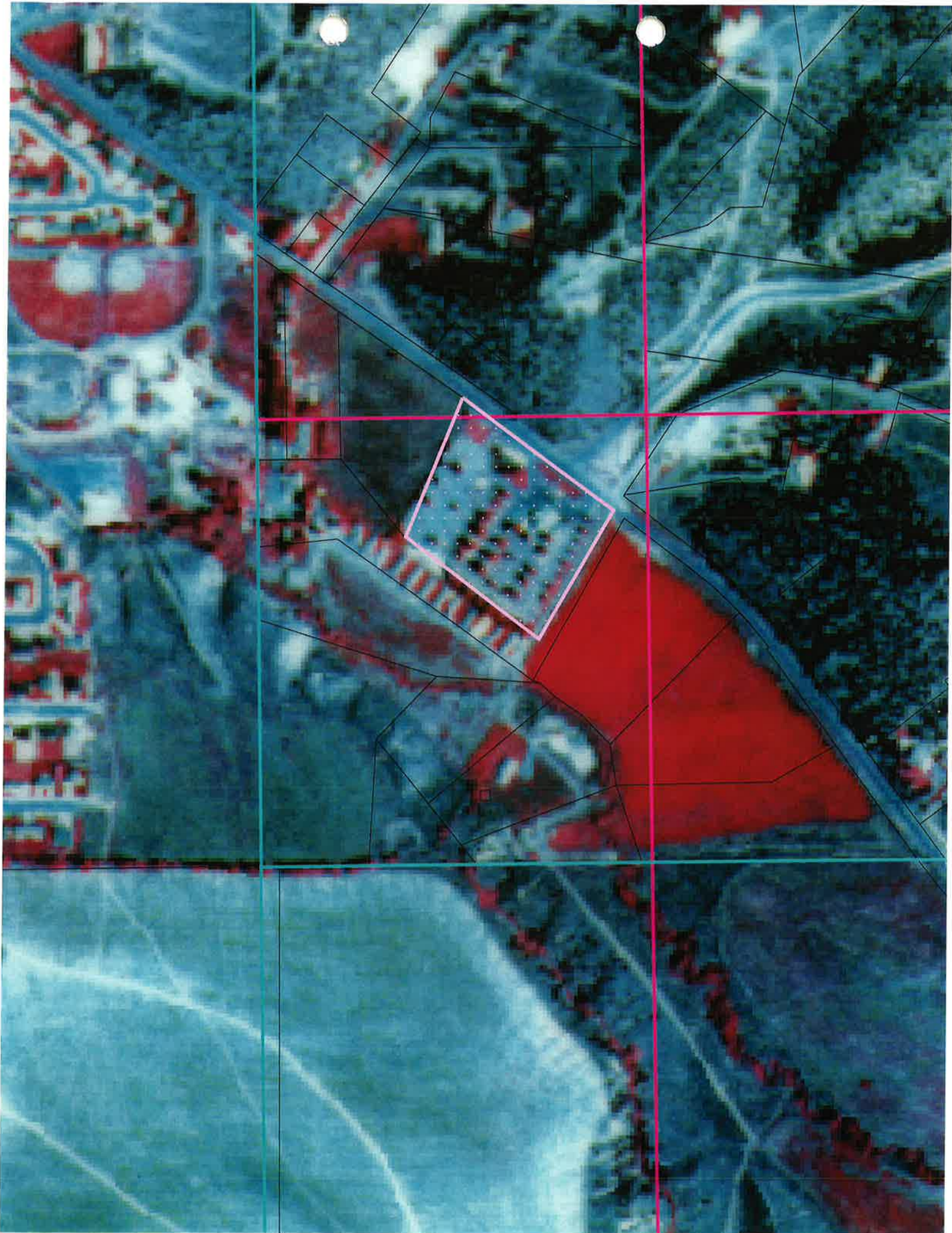
I got a call from Maurice Dicaire, the former owner of the Pocatello KOA. He sold it to Ronald Winters, 9815 W. Pocatello Creek Road, Pocatello, 83201. Phone: 1-208-233-6851 on November 16th, 2001. There was a letter in the file that indicated it was probably a BU claim.

Hope this helps.
Happy Holidays.

Cindy

SCANNED

MAR 24 2006





PROFILED

SCANNED
MAR 24 2006

MAR 24 2006

SCANNED

PROVIDED





IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID 29 4304
POD ID 191923
Quad Pocatello North
Claim Type L
Easting 629587
Northing 200543
GPSID A0004303

Diversion Description

WELL, PUMP, LINES & MAINLINE. Submersible pump system located in KOA parking lot next to propane tank in front of the KOA office.

Assumptions

Heads are approximate (owner not sure of exact values).

Invoice

2000-037-01-0

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

Linked

OD ID 191923 01.JPG

Photos

OD ID 191923 02.JPG

EPE (ft)

16

Date (M/D/Y)

10/2/011

Time

13.30

Flow Rate (CFS)

0.127096907216495

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

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

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

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ 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) 50

Elevation Head (ft) 30

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information



New Contact Comments

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SCANNED

JUN 13 2001

Log for claim A29-04304

Spatial Dynamics LTD

9/20/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s35e	18	SWSW	2	2	
Totals:			2	2	

AJ5809NP
No. A29-04304

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 83

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POCATELLO KOA C/O MAURICE DICAIRE 9815 W POCATELLO CREEK RD POCATELLO ID 83201 (208) 233-6851	04/15/1958	IRRIGATION COMMERCIAL DOMESTIC	04-01 11-01 01-01 12-31 01-01 12-31	0.040 CFS 0.060 CFS 0.200 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.300 CFS	6.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T06S R35E S18 NWSW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
06S	35E	18	:											02						2.0
TOTAL ACRES																			2.0	

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06S	35E	18	:											C						

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06S	35E	18	:											D	D					

POU County: BANNOCK

Non-Irrigation Uses: D/TWO MOBILE HOMES, 86 CAMPSITES; C/TOILET & SHOWER FACILITIES

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11358 A29-11358

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00443G

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

AJ5809NP
No. A29-04304

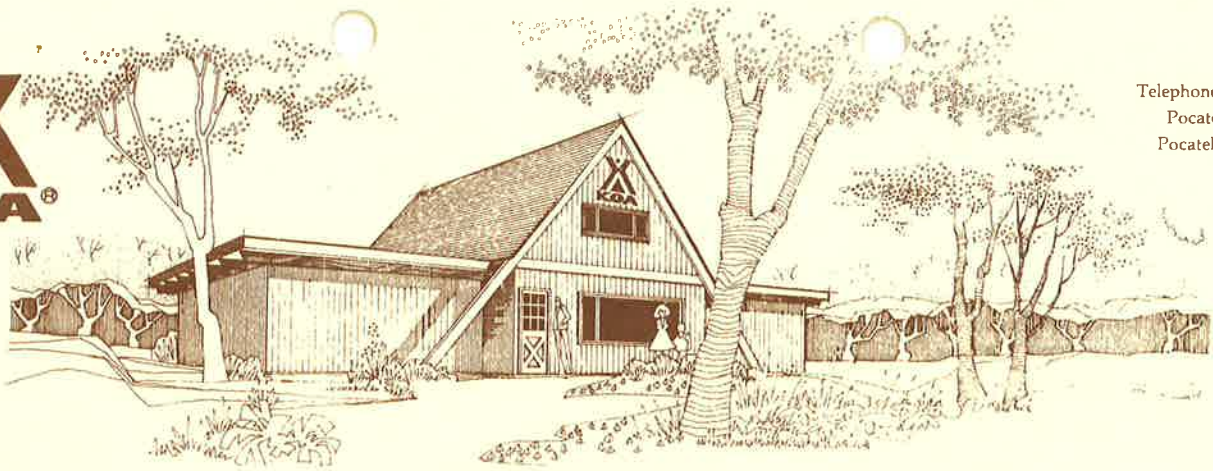
IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 84

=====

Audit: 12/21/89 HARRINGT 07/20/94 THOMPSON 03/29/95 POST-STD

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



Telephone (208) 233-6851
Pocatello Creek Road
Pocatello, Idaho 83201

Pocatello KOA

Franchisee of Kampgrounds of America, Inc.

FEB 2, 1995

DEAR MR CARLSON,

**AS PER YOUR REQUEST FOR SUBMITTING THE NECESSARY
PROOF TO SUPPORT THE PRIORITY DATE OF WATER RIGHTS IN YOUR LETTER
DATED JAN. 3, 1995 AND MY PHONE CALLS.**

**I CONTACTED MR DUANE ANDERSON WHO OWNED THE
PROPERTY IN 1958 AND YEARS PRIOR AND SHOWED HIM YOUR LETTER.**

**HE HAS RESPONDED IN THE ENCLOSED LETTER DATED FEB.
2, 1995 TO MY REQUEST AND SIGNED IT.**

**IF ANY FURTHER INFORMATION IS REQUIRED HE HAS
SUBMITTED HIS PHONE NUMBER.**

**HIS HOME ADDRESS: DUANE ANDERSON
9196 N ANDERSON LN
POCATELLO ID 83201**

YOURS TRULY


**POCATELLO KOA OWNER
MIRACE DICAIRE**

MICROFILMED

NOV 13 1996

FEB 2, 1995

RE: A 29-04304
POCATELLO KOA
% MAURICE DICARE
9815 W POCATELLO CR RD
POCATELLO, IDAHO 83201

DEAR MR DAVE CARLSON,

WITH REFERENCE TO YOUR LETTER OF 1-3-95 FOR
SUBMITTING THE NECESSARY PROOF TO SUPPORT THE PRIORITY DATE OF
4-15-58, WATER RIGHTS.

I WISH TO ADVISE THE DEPT. OF WATER RESOURCES I
HAD THE WATER RIGHTS ON THIS REPORT FOR IRRIGATING FARM LAND AT
THE TIME, OF WHICH IS NOW THE POCATELLO KOA CAMPGROUND.

IF YOU REQUIRE MORE INFORMATION PLEASE PHONE ME
AT 233-6540.

YOURS TRULY,



DUANE ANDERSON

MICROFILMED
NOV 13 1996

No. A29-04304

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POCATELLO KOA C/O MAURICE DICAIRE 9815 W POCATELLO CREEK RD POCATELLO ID 83201 (208) 233-6851	04/15/1958	IRRIGATION COMMERCIAL DOMESTIC	04-01 11-01 01-01 12-31 01-01 12-31	0.04 CFS 0.06 CFS 0.20 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.30 CFS	6.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T06S R35E S18 NWSW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
06S	35E	18	:																	2.0
TOTAL ACRES																			2.0	

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06S	35E	18	:																	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06S	35E	18	:																	

POU County: BANNOCK

Non-Irrigation Uses: D/TWO MOBILE HOMES, 86 CAMPSITES; C/TOILET & SHOWER FACILITIES

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

NOV 13 1958
MICROFILMED

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 29-4304
Date Received: 1/10/1990
Receipt No: C013914
Received By:

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

1. Name of Claimant(s)

RONALD WINTERS Phone: (208) 233-5372

9815 W POCATELLO CREEK RD
POCATELLO ID USA 83201

JUDY WINTERS Phone: (208) 233-5272

9815 W POCATELLO CREEK RD
POCATELLO ID USA 83201

2. Date of Priority: 04/15/1958

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	35E	18	NW SW	BANNOCK	

5. Description of diverting works:

WELL, PUMP, LINES & MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.04	
COMMERCIAL	1/01	12/31	0.06	
DOMESTIC	1/01	12/31	0.2	

7. Total Quantity Appropriated is:
0.3 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
06S	35E	18	NW	SW		DOMESTIC	
			SW	SW		DOMESTIC	
			NW	SW		COMMERCIAL	
			SW	SW		IRRIGATION	2
						Section Acres	2
						Total Acres	2

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:

15. Basis of Claim: Beneficial Use

JUN 13 2001

filing fee: \$80⁰⁰
X

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: A29-04304

Date Received: 1/10/90

Receipt No: C 013914

Received By: J. Davison

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: POCATELLO KOA
Address: C/O MAURICE DICAIRE
9815 W. POCATELLO CREEK ROAD
POCATELLO, ID 83201

208-233-6851

RECEIVED
JAN 8 1990

2. Date of Priority: APR 15, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Department of Water Resources

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	35E	18	NW	SW			BANNOCK

5. Description of diverting works:
WELL, PUMP, LINES & MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A
IRRIGATION	04/01	11/01	0.040		
DOMESTIC	01/01	12/31	0.200		
COMMERCIAL	01/01	12/31	0.060		

A2904304

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

A.F.A.

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

9. Non-irrigation uses:

D/TWO MOBILE HOMES, 86 CAMPSITES; C/TOILET & SHOWER FACILITIES

A29-04304

Page 1

Date: 12/21/89

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	35E	18	NW		SW		DOMEST	
			NW		SW		COMMER	
			SW		SW		DOMEST	
			SW		SW		IRR	2.0
							Section Acres	2.0
							Total Acres	2.0

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:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am OWNER of
Title
Pocatello K.O.A., that I have signed the foregoing
Organization
document in the space below as OWNER of
Title
Pocatello K.O.A. and that the statements contained in the
Organization
foregoing document are true and correct.

Maude J. Dickey
Signature of Authorized Agent

Owner Pocatello K.O.A.
Title and Organization

1-2-90

7-12-90
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of January 19 90
Seal

Daphne Myers
Notary Public

Residing at Pocatello
My Commission Expires 7-12-94