

04/27/2006

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

RIGHT NUMBER: 75-27E

NAME AND ADDRESS: TYRELL KREMER
12225 BLAKE RD
WILTON CA 95693

PATTI L CONLEY
12225 BLAKE RD
WILTON CA 95693

SOURCE: WILLIAMS CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T20N R21E S11 NENE Lot 1 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.080 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

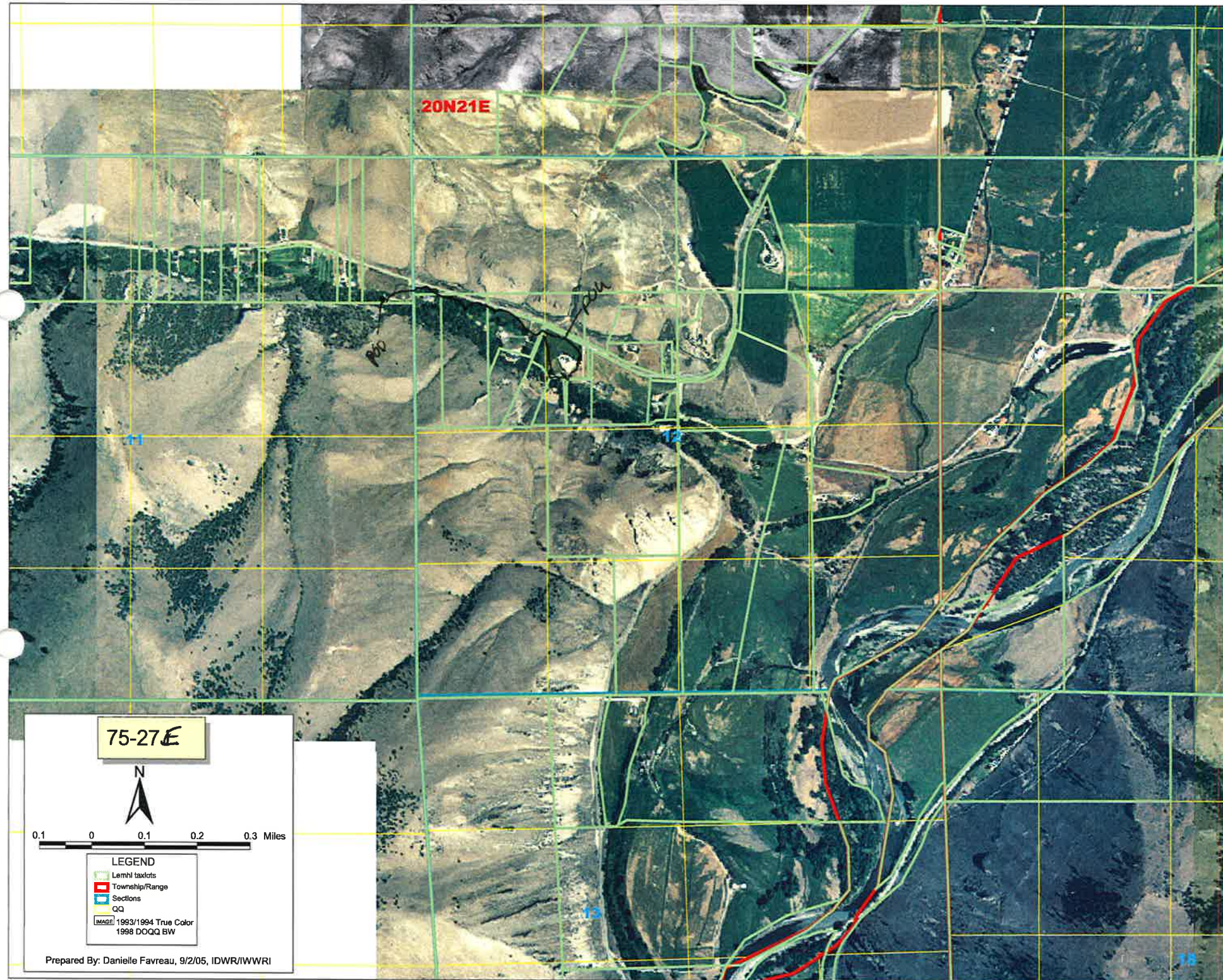
T20N R21E S12	SWNW	1.00	T20N R21E S12	SENW	3.00
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4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



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NOV 25 2005

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

Department of Water Resources

Department of Water Resources
 Eastern Region

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

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
	75-278				
	75-10294				

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

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

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

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

JOHN + Phyllis Bruggen Kamp

SALmon ID 83467

4. New Owner/Claimant(s)

TYRELL J. KREMER AND PATTI L. CONLEY

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

New Mailing Address

12225 BLAKE ROAD

City, State and ZIP Code

WILTON, CA 95693

New Telephone Number

() 916-687-6272

5. Date you acquired the property

MAY, 7, 2001

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Department of Water Resources
 Eastern Region

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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)

[Signature]
[Signature]

6/20/03

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

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

"Subscribed and sworn to/affirmed before
 me this 20th day of June,
2003, Christiane N. Gould,
 Notary Public, State of Idaho,
 County of Lemhi"

CHRISTIANE N. GOULD
 NOTARY PUBLIC
 STATE OF IDAHO

SCANNED
 DEC 11 2005

0672L

247059

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made this 7th day of May, 2001,
between MARY F. HOWICK, in her capacity as personal representative of THE ESTATE OF
PHYLLIS J. BRUGGENKAMP, the Grantor, and TYRELL J. KREMER and PATTI L.
CONLEY, whose address is 12225 Blake Rd., Wilton, CA 95623,
the Grantees,

WITNESSETH:

WHEREAS, MARY F. HOWICK is the duly appointed and qualified general
personal representative of THE ESTATE OF PHYLLIS J. BRUGGENKAMP, deceased,
Bonneville County Probate No. SP-96-12; and

WHEREAS, Grantees have purchased the real property described herein from the
Estate;

NOW, THEREFORE, for good and valuable consideration, the Grantor, THE
ESTATE OF PHYLLIS J. BRUGGENKAMP, does by these presents grant, convey and assign
unto the Grantees, TYRELL J. KREMER and PATTI L. CONLEY, all of the following
described real estate situated in the County of Lemhi, State of Idaho, to-wit:

See attached Exhibit A.

SUBJECT TO: All existing liens and encumbrances, as well as all existing
easements or claims of easement, rights of way, covenants, restrictions, reservations, applicable
building and zoning ordinances, use regulations and restrictions, encroachments, overlaps,
boundary line disputes and other matters which would be disclosed by an accurate survey,
inspection of the premises or environmental assessment, and accruing taxes and assessments.

TO HAVE AND TO HOLD, all and singular the said premises, together with their
appurtenances, unto the said Grantees and to the Grantees' successors and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

THE ESTATE OF PHYLLIS J. BRUGGENKAMP


MARY F. HOWICK, Personal Representative

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 7 day of May, 2001, before me,
Larry S. Larson, a Notary Public in and for said State, personally appeared MARY F. HOWICK, known to me to be the personal representative of THE ESTATE OF PHYLLIS J. BRUGGENKAMP and the person whose name is subscribed to the within instrument on behalf of that Estate, and acknowledged to me that she executed the same on behalf of the Estate.

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




Notary Public for Idaho
Residing at: Black Falls
My Commission Expires: 4/26/2003

State of Idaho) **247059**
County of Lemhi) ss. No. _____
This instrument was filed for record at the request
of Albana Sells
at 2:54 o'clock p.m. 5-8 2001
and duly filed and indexed in the records of Lemhi
County Tami J. Morton
Ex-Officio Recorder
By Shirley Gutierrez Deputy
Fee 9.00
Return to _____

247059

LEGAL DESCRIPTION
EXHIBIT 'A'

A PARCEL OF LAND LOCATED IN THE S1/2NW1/4, SECTION 12, T. 20 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W1/4 CORNER OF SECTION 12, FROM WHICH THE NW CORNER OF SAID SECTION BEARS N. 01° 14' 31" W. A DISTANCE OF 2739.60 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N. 60° 20' 13" E. A DISTANCE OF 1317.31 FT. TO A POINT AT THE INTERSECTION OF AN EXISTING FENCE AND THE POINT OF BEGINNING;

THENCE N. 23° 21' 23" E. ALONG SAID FENCE 436.45 FT. TO A POINT ON THE CENTERLINE OF WILLIAMS CREEK ROAD;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE;

S. 64° 59' 29" E., 221.76 FT.; S. 61° 50' 25" E., 216.66 FT. TO A POINT IN LINE WITHIN AN EXISTING FENCE LINE;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID FENCE LINE;

S. 01° 39' 02" E., 369.30 FT.; S. 86° 36' 12" W., 249.50 FT.;

N. 42° 50' 09" W., 64.89 FT.; S. 54° 47' 32" W., 55.32 FT.;

N. 69° 39' 21" W., 47.01 FT.; N. 70° 54' 52" W., 26.82 FT.;

N. 35° 57' 35" W., 101.96 FT.; N. 62° 37' 24" W., 121.60 FT. TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE BOUNDARY OF WILLIAMS CREEK ROAD.

SUBJECT TO A 21.00 FT. WIDE EASEMENT 10.50 FT. ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NE CORNER OF THE ABOVE DESCRIBED PARCEL RUN THENCE N. 61° 50' 25" W. ALONG THE CENTERLINE OF WILLIAMS CREEK ROAD A DISTANCE OF 12.10 FT. TO THE POINT OF BEGINNING;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE:

S. 01° 39' 02" E., 340.88 FT.; 38.51 FT. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88° 15' 18" A RADIUS OF 25.00 FT. AND A CHORD BEARING OF S. 42° 28' 35" W. FOR 34.81 FT.;

S. 86° 36' 12" W., 123.00 FT.; N. 75° 25' 31" W., 54.21 FT.;

S. 76° 42' 33" W., 34.49 FT.; S. 41° 36' 46" W., 18.65 FT. TO THE PROPERTY LINE OF TAX# 1468.

SC-1468
DEC 14 2005

C.P. & F. INST.
NO. 235553

The Company has not surveyed the premises described in 01-067249. The sketch below is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability as to the validity, location, or ownership of any easement or other matter shown thereon, nor for the inaccuracies therein, including the accurate location of boundaries, including water boundaries. This sketch does not purport to show all highways, roads and easements adjoining or affecting said premises, nor is it a part or modification of the report, commitment, policy or other title evidence to which it may be attached.

TAX# 1909

BASIS OF BEARING
N 01° 14' 31" W
2730.22'

TAX# 1349

R.O.S. INST.
NO. 182953

R.O.S. INST.
NO. 182953

P.O.B.

P.O.L.

P.O.B.

HOUSE

WILLIAMS CREEK ROAD

CENTERLINE OF DRIVE

11 12

C.P. & F. INST.

0002 3 11 353

2 1
11 12

N 23° 21' 23" E
407.45'

S 64° 59' 29" E
221.76'

S 61° 50' 25" E
216.66'

N 62° 37' 24" W
121.60'

N 35° 57' 35" W
101.96'

N 42° 50' 04" E
64.89'

S 86° 36' 02" W

S 01° 30' 02" E
309.30'

25'

25'

340.50'

L4

L3

L2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 75-27E

1. ☐ No Change NAME IS SAME

☒ NEW OWNER: Tyrell J Kremer

☐ No Change ADDRESS

☒ NEW ADDRESS: 12225 Blake RD Wilton Ca 95693

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0017406 f.l. 923 PODWI

Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>
Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

headgate, ditch to place of use

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 9-27-05

FIELD EXAMINER:

Bob Foster

Print Name

Bob Foster

Signature

SCANNED

OCT 03 2001

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A75-00027E
Date Received: 4/26/1990
Receipt No: M006760
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHYLLIS J. BRUGGENKAMP
Address: RT.1, BOX 237
SALMON, ID 83467
OR
Name: MARY F. HOWICK
Address: 2799 EAST 105 NORTH
IDAHO FALLS, ID 83401
208-756-4770
208-523-4985
2. Date of Priority: MAY 01, 1886
3. Source: WILLIAMS CREEK Trib. to: SALMON RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
20N 21E 11 SE NE NE LEMHI
5. Description of diverting works:
DIVERSION & GRAVITY DITCH
6. Water is used for the following purposes:
Purpose From To C.F.S (or) A.F.A.
IRRIGATION 04/01 11/01 0.080
7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 10.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

A75-00027E

Page 1

Date: 04/27/90

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	21E	12	SW	NW		IRR	1.0
			SE	NW		IRR	3.0
Section Acres							4.0
Total Acres							4.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
IRR.FROM SPRING CLAIMED

14. Remarks:
CLAIMANT AND OTHER USERS OF WILLIAMS CK WATERS MET & AGREED THAT
SPLITS OF PARENT RT.WOULD BE CLAIMED AT RATE OF 0.02 CFS/AC.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

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: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER:

39576

Ident. Number

A75-00027E

Date Received

4/26/90

Receipt Number

M006760

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) BRUGGENKAMP, PHYLLIS J. & HODRICK, MARY F. Phone (208) 756-4770
Mailing Address RT. 1, Box 237
SALMON, ID 83467 Zip 83467

2. Date of Priority (Only one (1) per claim) 05/01/1886

3. Source of water supply (a) WILLIAMS CREEK
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 20N Range 21E Section 11,
SE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of LEMHI

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

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

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

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

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

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

DIVERSION & GRAVITY DITCH.

A7500027E



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04/01 to 11/01 amount 0.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 10.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER INCIDENTAL TO IRRIG.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
20N	21E	12							1	3									4

Total number of acres irrigated 4

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
IRRIG. FROM SPRING CLAIMED or None ()

14. Remarks:

Last Name BRUGGENKAMP Ident No. A75-00027E

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DEC 15 1982
Copies: White - State, Yellow - Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 75-00027

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 1

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

Signature of Claimant (s) *Phyllis J. Bruggenkamp* Date 4-26-1990
Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or —)

County of LEMHI)

SS.

Subscribed and sworn (or affirmed) before me this 26th day of APR 19 90

SEAL

Notary Public *Donna E. Rully*

Residing at BOISE, ID

My Commission Expires 11/08/1994

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

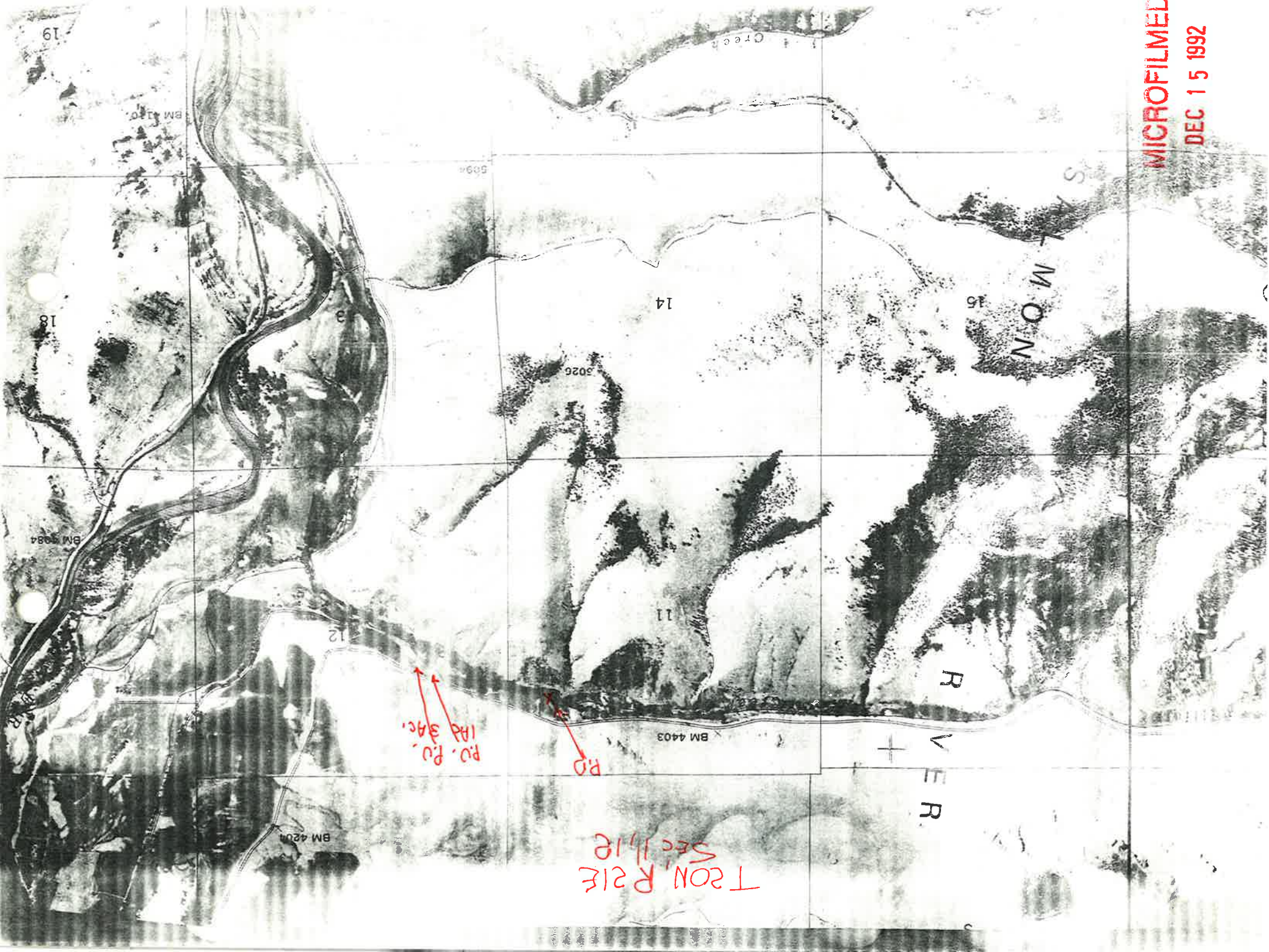
Date _____

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DEC 15 1992

Copies White-State, Yellow-Claimant

Last Name BRUGGENKAMP Ident. Number A75-00027E



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DEC 15 1992